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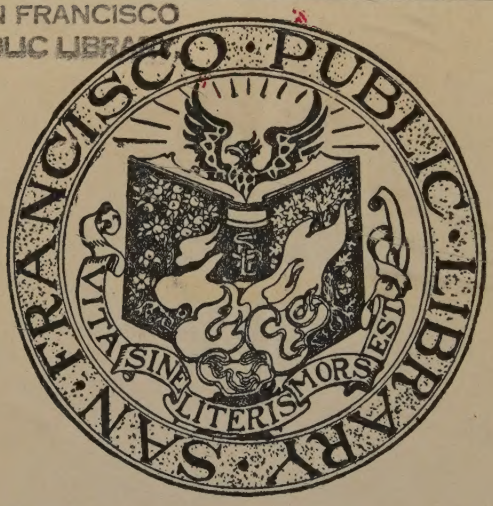

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With Numerous Maps and Notes.

VOL. II.

"SEGNIUS IRRITANT ANIMOS DEMISSA PER AUREM
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BY EDWARD HERTSLET, C.B.,

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341.	20th Mar.	Greek Decree. Cessation of British Protectorate over Ionian Islands. (Athens.)	1530
342.	12th May	Treaty between Belgium and Netherlands. Scheldt Toll. (Hague.)	1532
343.	16th May	Protocol between Great Britain, France, and Russia. Termination of Bavarian Order of Succession to Throne of Greece. (London.)	1535
344.	27th May	Protocol between Great Britain, France, and Russia. Greek Succession. (London.)	1537
345.	5th June	Protocol between Great Britain, France, Russia, and Denmark. Greek Succession. Annexation of Ionian Islands to Greece. (London.)	1539
346.	26th June	Protocol between Great Britain, France, and Russia. Guarantee of Greek Independence. Ionian Islands. Greek Loan. (London.)	1544
347.	13th July	Treaty between Great Britain, &c., and Denmark. Danish Succession to the Throne of Greece. Ionian Islands. (London.)	1545
348.	16th July	Treaty between Great Britain, &c., and Belgium. Redemption of the Scheldt Toll. (Brussels.)	1550
349.	16th July	Protocol between Great Britain, &c., and Belgium. Declaration of Netherlands of 15th July, 1863. Scheldt Toll. (Brussels.)	1557
350.	1st Aug.	Protocol between Great Britain, Austria, &c. (5 Powers). Union of Ionian Islands to Greece. (London.)	1559
351.	3rd Aug.	Convention between Great Britain and Belgium. Scheldt Toll. (Brussels.)	1561
352.	3rd Aug.	Protocol between Great Britain, France, Russia, and Denmark. King of the Hellenes. (London.)	1563
353.	13th Oct.	Protocol between Great Britain, France, Russia, and Denmark. King of the Hellenes. (London.)	1564
354.	19th Oct.	Decision of Assembly of Ionian States in favour of Union of Ionian Islands to Greece. (Corfu.)	1565
355.	14th Nov.	Treaty between Great Britain, Austria, &c. (5 Powers.) Ionian Islands. Treaty of 5th November, 1815, annulled. (London.)	1569
356.	Nov.	Correspondence between Great Britain and France. Proposed Congress for Preservation of Peace of Europe	1575

* See Appendix.

ERRATA. VOL. II.

Page 819, heading, line 3, for Straits of Constantinople and Bosphorus, read Dardanelles and Bosphorus.

„ 858 }
„ 869 } Art. 21, for present heading read *Amnesty*.

„ 936, heading to page, for Moldavia and Wallachia read Asiatic Boundary.

„ 937, line 2, after *Moldavia* and *Wallachia* read *Asiatic Boundary*.

„ 1012, note, for 1018, read 1021.

„ 1051, Art. V, Sect. I, for "Lucca to Modena," read "Modena to Lucca."

„ 1228, line 18, for 244 read 242.

„ 1263, last line, for 30th Aug. read 11th Sept.

„ 1316, heading; for Prussia read Switzerland.

„ 1323, France omitted from Title.

„ 1327 }
„ 1328 } top line for 19th Aug., read May—Aug.

„ 1383, line 2, for *as high* read *as far as the height of*.

„ 1393, last line but 3, for *as high* read *as far as the height of*.

„ 1451, Austria omitted from Title.

„ 1467, Art. XVI, for $\frac{50}{1000}$ and $\frac{10}{1000}$ read $\frac{1}{50,000}$ and $\frac{1}{10,000}$.

No. 138.—*DECLARATION of War by Russia against Turkey. St. Petersburgh, $\frac{14}{26}$th April*, 1828.

(Translation as laid before Parliament.*)

All the wishes of Russia to remain at Peace with a neighbouring Nation have proved vain. Notwithstanding her great patience, and the most costly sacrifices, she has been obliged to confide to arms the defence of her rights in the Levant, and to impress on the Ottoman Porte respect for existing Treaties. She will therefore develope the motives, at once imperative and just, which impose on her the melancholy necessity of such a resolution.

Sixteen years have elapsed since the Peace of Bucharest;† and for the same period we have seen the Porte act contrary to the stipulations of that Treaty, evade its promises, or indefinitely delay the fulfilment of them. The irrefragable proofs which the Imperial Cabinet will adduce of this infatuated hostile tendency of the policy of the Divan, are but too numerous. On more than one occasion, particularly in 1821, the Porte assumed with respect to Russia, a character of open provocation and hostility. For these three months past, it has again assumed this character, by formal acts and measures which are notorious to all Europe.

On the same day that the Ministers of the 3 Powers, united by a disinterested engagement in the cause of Religion and of suffering humanity, expressed at their departure from Constantinople an ardent wish that Peace might be preserved,—on the same day when they pointed out the easy means of attaining that object, and when the Porte in the same manner protested its pacific dispositions; on that very day the Porte called upon all nations professing the Mahometan faith to take up arms against Russia, denouncing her as the implacable enemy of Islamism, accusing her of a design to overthrow the Ottoman Empire; and finally, announcing its resolution to negotiate for the sole purpose of preparing for War, and its determination never to fulfil some of the essential Articles of the Treaty of Ackermann ($\frac{25\text{th September,}}{7\text{th October,}}$ 1826, **No. 131**), which it declared, at the same time, that it concluded with no other design than that of breaking it. The

* For French Version, see "State Papers," vol. xv, p. 656.

† ($\frac{16}{28}$th May, 1812). See Appendix.

Porte well knew that by so doing, it would also violate all preceding Treaties, the renewal of which was expressly stipulated by that of Ackermann; but it had already taken its resolution and determined its line of conduct.

Scarcely had the Sultan thus spoken to the vassals of his Crown, when the privileges of the Russian flag were violated, the ships covered by it were detained, their cargoes sequestrated, their Commanders obliged to dispose of them at prices arbitrarily fixed, the amount of an incomplete and tardy payment reduced to one-half; and even the subjects of His Imperial Majesty were soon after compelled either to descend into the class of *Rayas*, or to leave in a body the dominions of the Ottoman Porte. Meanwhile the Bosphorus is closed, the trade of the Black Sea fettered, the Russian towns, whose existence depends upon that trade, are in imminent danger of ruin, and the southern provinces of the Emperor's dominions lose the only channel for the exportation of their produce, and the only maritime communication which, by promoting the exchange of their commodities, could render their labour productive, and promote industry and prosperity. Even the boundaries of Turkey did not limit the action of these hostile sentiments. At the same time that they broke forth at Constantinople, General Paskewitch, after the conclusion of a glorious campaign, was negotiating a Peace with Persia, the conditions of which were already accepted by the Court of Teheran. On a sudden, he was surprised at delays which succeeded to the eagerness which had hitherto been shown for the conclusion of a Convention, which had been already approved by both parties in all its particulars. These delays were followed by exceptions to the terms of the Treaty, and these exceptions by warlike demonstrations; and the conduct of the neighbouring Pachas who hastily took up arms, on the one hand,—and on the other, authentic information and positive confessions, revealed to us the secret of the promise of a diversion, which was to force new efforts upon us.

Thus the Turkish Government in its Proclamations announced its intention of breaking its Treaties with Russia, while it already set them at nought by its actions: thus it taught Russia to expect war at no remote period; it had in fact already begun it against her subjects and her commerce. Where war was just extinguished, it tried to rekindle it.

Russia will not dwell on the motives which render it imperative upon her to refuse to tolerate such evidently hostile actions,

and to take measures for preventing their recurrence. If a State could abandon its dearest interests, sacrifice its honour, and disown the transactions which are at once the monuments of its glory and the pledges of its prosperity, it would be a traitor to itself, and would fail in its duties by failing to insist upon its rights.

Such rights and such duties acquire even an additional title to be respected, when the assertion of them has been preceded by a moderation of the most marked kind, and by the most striking proofs of pacific intentions.

The sacrifices which Russia has imposed upon herself, with the view of securing to the world a durable Peace, ever since the memorable epoch which overthrew at the same time military despotism and the spirit of revolution,—these sacrifices, equally voluntary and numerous, dictated by the most liberal policy, and no less spontaneous than they have been numerous, are known to the world; the history of late years testifies them, and even Turkey herself, though little disposed duly to appreciate them, and in no wise entitled to them, has felt their favourable effects. The Porte has nevertheless constantly misunderstood the advantages of its stipulations with the Cabinet of St. Petersburgh, and of the fundamental Treaties of Kainardjie,* Jassy, and Bucharest,† which, by placing the existence of the Porte, and the integrity of its Frontiers, under the protection of the law of nations, could not fail to contribute to the duration of its Empire. Scarcely was the Peace of 1812 signed, when the Porte thought that it could with impunity take advantage of the difficult and eventful circumstances in which Russia then was placed, repeatedly to violate its recent engagements. An amnesty had been promised to the Servians; but instead of it, an invasion took place and a dreadful massacre. Certainly privileges were guaranteed to Moldavia and Wallachia; but a system of plunder completed the ruin of those unhappy provinces. The incursions of the tribes which inhabit the left bank of the Kuban were to be prevented by the care of the Porte; they were, on the contrary, openly encouraged; and Turkey, not content with raising pretensions to several Fortresses absolutely necessary for the security of our Asiatic possessions, pretensions, the weakness of which it had itself recognised by the

* $\left(\frac{\text{29th December, 1791}}{\text{9th January, 1792}}\right)$. See Appendix.

† ($\frac{16}{28}$th May, 1812). See Appendix.

Convention of Ackermann (**No. 131**), made them still weaker by favouring, on the coasts of the Black Sea, and even in our vicinity, the slave trade, pillage, and disorders of all kinds. Nay more: then, as now, ships bearing the Russian flag were detained in the Bosphorus, their cargoes sequestrated, and all the stipulations of the Commercial Treaty of 1783 openly violated. This took place at the very moment when the purest glory and the most beneficent victories in a sacred cause crowned the arms of His Majesty the Emperor Alexander of immortal memory. Nothing hindered him from turning his arms against the Ottoman Empire. But that Monarch, a pacific Conqueror, superior to every feeling of resentment, avoided even the most legitimate opportunity of redressing his own wrongs, and would not interrupt the peace restored to Europe by generous exertions, and with noble intentions, so soon after he had contributed to its establishment. His situation offered him immense advantages, of which he forbore to avail himself, with the view of entering, in the year 1816, into negotiations with the Turkish Government, founded on the principle and the wish to obtain, solely by amicable arrangement, securities for peace and for a faithful adherence to existing Treaties, as well as for the maintenance of reciprocal, satisfactory, and pacific relations,—securities which the Emperor's victorious arms might have extorted from the Porte, then unable to resist him.

Such great moderation was not, however, duly appreciated. For five years together, the Divan was unmoved by the conciliatory overtures of the Emperor Alexander, and endeavoured to tire out his patience—to dispute his rights—to call in question his good intentions—and even to defy the superiority of Russia, which was restrained solely by a desire to preserve the general peace, by carrying her forbearance to its utmost limits.

And yet a War with Turkey would not in any way have embarrassed the relations of Russia with her principal Allies. No Convention of Guarantee, no political combination, connected the fate of the Ottoman Empire with the healing Acts of 1814 and 1815, under the protection of which civilised and Christian Europe reposed after her long dissensions, and saw her Governments united by the recollections of common glory, and a happy identity of principles and views.

After five years of benevolent and unabated exertion on the part of the Representative of Russia, and of tergiversations and delays on the part of the Porte,—when several points of the

negotiation relative to the execution of the Treaty of Bucharest appeared to be settled,—a general insurrection in the Morea, and the hostile invasion of Moldavia by the Chief of a Party, unfaithful to his duty, re-excited in the Turkish Government and nation all the emotions of blind hatred against its Christian tributaries, without distinction between the guilty and the innocent. Russia did not hesitate a moment to testify its just disapprobation of the enterprise of Prince Ypsilanti. As Protector of the Principalities, it approved of the proper measures of defence and suppression adopted by the Divan, at the same time insisting on the necessity of not confounding the innocent part of the population with the seditious, who were to be disarmed and punished. These counsels were rejected; the Representative of His Imperial Majesty was insulted in his own residence; the chief Greek Clergy, with the Patriarch at their head, were subjected to an ignominious punishment in the midst of the solemnities of our holy religion. The most eminent Christians were seized, plundered, and massacred without trial; the remainder fled. The flame of insurrection, however, far from abating, spread on every side. In vain did the Russian Minister endeavour to render the Porte a last service. In vain did he point out, by his note of the 6th July, 1821, a way to safety and to reconciliation. After he had protested against crimes and ebullitions of rage, unparalleled in history, he found himself obliged to obey the commands of his Sovereign, and to leave Constantinople. It was at this time that the Powers, the Friends and Allies of Russia, equally interested in the maintenance of general Peace, offered and employed their good offices for the purpose of dispelling the storm which was about to burst over the infatuated Turkish Government. Russia, on her part, delayed to redress her own just grievances, in the hope that she should be able to reconcile what she owed to herself with the forbearance required by the situation of Europe, and its often-threatened tranquillity. Great as these sacrifices were, they were fruitless. All the efforts of the Emperor's Allies were successively baffled by the obstinacy of the Porte, which, perhaps equally in error with respect to the motives of our conduct, and the extent of its own resources, persisted in the execution of a plan for the destruction of the Christian population, subject to its power. The war with the insurgent Greeks was prosecuted with increased acrimony, in spite of the measures which from that time had for their object the Pacification of Greece. The attitude of the Divan,

notwithstanding the exemplary fidelity of the Servians, became daily more hostile towards them; and the occupation of Moldavia and Wallachia was protracted, notwithstanding the most solemn promises made to the Representative of Great Britain, and notwithstanding the desire of Russia, from the time when these promises were distinctly made, to renew its former relations with the Porte. So many hostile measures could not fail at last to exhaust the patience of the Emperor Alexander. In the month of October, 1825, he caused an energetic Protest to be presented to the Ottoman Ministry; and when a premature death snatched him from the love of his people, he had just made the declaration, that he would regulate the affairs of Turkey according to the rights and interests of his Empire.

A new reign commenced, and furnished further proofs of a love of Peace,—a noble inheritance, which had been bequeathed to it by the preceding reign. Upon his accession to the throne, the Emperor Nicholas commenced negotiations with the Porte, in order to settle various differences which concerned Russia alone, and afterwards, on the $\frac{\text{23rd March}}{\text{4th April}}$, 1826 (**No. 129**), laid down, in concert with His Majesty the King of Great Britain, the bases of an Intervention which the general good peremptorily demanded. An evident wish to avoid extreme measures guided his conduct. On the one hand, as His Imperial Majesty promised himself from the union of the Great Courts, a more easy and speedy termination of the War which desolates the East, he renounced the employment of all separate influence, and disclaimed all idea of exclusive measures in this important question. On the other hand, by his direct negotiations with the Divan, he endeavoured to remove a further Impediment to the reconciliation of the Turks and the Greeks. Under such auspices the Conferences at Ackermann were opened; the result of them was the conclusion of an additional Convention to the Treaty of Bucharest, the terms of which bear the stamp of that deliberate moderation, which, subjecting every demand to the immutable principles of strict justice, consults neither advantage of situation, superiority of strength, nor facility of success. The sending of a permanent Mission to Constantinople soon followed this reconciliation, at which the Porte expressed its satisfaction in the strongest terms:—soon afterwards the Treaty of the 6th July, 1827 (**No. 136**), confirmed in the face of the world the disinterested principles proclaimed by the Protocol of the 4th April (**No. 129**). This

Treaty, while it advocated the rights and the wishes of an unfortunate people, sought to conciliate them, by an equitable arrangement, with the integrity, the repose, and the true interests of the Ottoman Empire. The most amicable means were tried to induce the Porte to accept the stipulations of this beneficent Act; urgent entreaties were addressed to it to put an end to the effusion of blood. The Porte was warned by the most frank communications, which unfolded to it all the plans of the three Courts, that in case of refusal, the united fleets of the three Courts would be obliged to put an end to a contest which was no longer compatible with the security of the seas, the necessities of commerce, and the civilization of the rest of Europe. The Porte paid no attention to these warnings. A Commander of the Ottoman forces had scarcely concluded a provisional Armistice, when he broke the word he had given, and resorted to the employment of force. The battle of Navarino ensued:* but this battle, the necessary result of an evident breach of faith, and of a flagrant aggression, even this battle gave Russia and her Allies another opportunity to express to the Divan its wishes for the maintenance of Peace, to invite the Porte to contribute to its restoration, to extend it to the whole of the Levant, and to establish it on conditions which should connect the Ottoman Empire with the reciprocal guarantees by which they would be accompanied, and which, by reasonable concessions, would gain for it the benefits of perfect security.

Such is the system, such are the acts, to which the Porte replied by its Manifesto of the 20th December, and by measures which constitute so many breaches of the Treaties with Russia —so many violations of its rights—so many grave attacks on its commercial prosperity—so many proofs of a desire to bring upon her fresh embarrassments and enemies.

Russia, thus placed in a situation in which her honour and her interests will not suffer her any longer to remain, declares War against the Ottoman Porte, not without regret, but after having, for sixteen years together, neglected nothing to spare the Porte this calamity.

The causes of this War sufficiently indicate its objects.

Brought on by Turkey, it will impose upon that Power the burden of making good all the expenses caused by it, and the losses sustained by the subjects of His Imperial Majesty. Under-

* The Battle of Navarino was fought on the 20th October, 1827.

taken for the purpose of enforcing the Treaties which the Porte considers as no longer existing, it will aim at securing their observance and efficacy. Induced by the imperative necessity of securing for the future, inviolable liberty to the commerce of the Black Sea and the navigation of the Bosphorus, it will be directed to this object, which is equally advantageous to all European States.

In having recourse to arms, Russia, far from indulging in sentiments of hatred against the Ottoman Power, or from contemplating its overthrow, according to the accusation of the Divan, conceives that she has given a convincing proof that if a vindictive War, or the destruction of the Porte, had been her object, she would have seized all those opportunities for War which her relations with the Porte have so unceasingly presented.

Russia is no less indisposed to entertain ambitious views. Countries and nations enough already obey her laws; cares enough are already imposed upon her by the extent of her dominions.

Lastly, Russia, though at War with the Porte, for reasons which are independent of the Treaty of the 6th July [1827] (**No. 136**), has not departed, and will not depart, from the stipulations of that Act. It did not, and could not, condemn Russia to sacrifice her anterior and most important rights, to endure decided affronts, and to demand no indemnity for the keenest injuries. But the duties which it imposed upon her, and the principles on which it is founded, will be fulfilled with scrupulous fidelity, and observed without the slightest deviation. The Allies of Russia will find her always ready to act in concert with them in the execution of the Treaty of London, always anxious to co-operate in a work which is recommended to its lively solicitude by Religion, and all the feelings which do honour to humanity; always inclined to make use of its present situation, only for the more speedy fulfilment of the stipulations of the 6th July [1827] (**No. 136**), and not to make any change in their nature or their effects.

The Emperor will not lay down his arms till he has obtained the results stated in this Declaration, and he looks forward to them through the blessings of Him to whom Justice and a pure conscience have never yet appealed in vain.

Given at St. Petersburgh, the $\frac{14}{26}$th April, 1828.

No. 139.—*MANIFESTO of the Emperor of Russia. War against Turkey. St. Petersburgh, $\frac{14}{26}$th April*, 1828.

(Translation as laid before Parliament.*)

By the Grace of God, Nicholas I, Emperor and Autocrat of All the Russias, &c.

The Peace of Bucharest, concluded in the year 1812,† with the Ottoman Porte, after having been for 16 years the subject of reiterated disputes, now no longer exists, in spite of all our exertions to maintain it, and to preserve it from violation. The Porte, not satisfied with having destroyed the bases of a state of Peace, now defies Russia, and prepares to wage against her a War of extermination; it summons its whole population to arms; accuses Russia of being its irreconcilable enemy; tramples under foot the Convention of Ackermann (**No. 131**), and therewith all preceding Treaties. Lastly, the Porte does not hesitate to declare, that it consented to the conditions of that Convention only as a mask to conceal its intentions, and its preparations for a new war.

Scarcely was this memorable confession made, when the rights of the Russian flag were violated, the vessels which carry it were detained, and the cargoes made the prey of a rapacious and arbitrary Government. Our subjects found themselves compelled to break their oath, or to leave without delay a hostile country; the Bosphorus was closed; our trade annihilated; our Southern Provinces, deprived of the only channel for the exportation of their produce, are threatened with incalculable injury. Nay more; at the very moment when the negotiations between Russia and Persia were on the eve of being concluded, a sudden change on the part of the Persian Government checked the course of them. It soon appeared that the Ottoman Porte had exerted herself to make Persia waver, by promising her powerful aid; that the Porte had hastily armed the troops of the Pachas on the borders, and was preparing to follow up this treacherous and hostile language by acts of open aggression.

Such has been the series of injuries of which Turkey has been guilty from the conclusion of the Treaty of Bucharest† to the present time; such has unhappily been the fruit of the sacrifices

* For French Version, see "State Papers," vol. xv, p. 655.
† ($\frac{16}{28}$th May, 1812.) See Appendix.

and generous exertions by which Russia has incessantly laboured to maintain Peace with a neighbouring Power.

But all patience has its limits; the honour of the Russian name—the dignity of the Empire—the inviolability of its rights and of our national glory have prescribed to us the bounds of our forbearance.

It is not till after we have considered the full extent of the duties imposed on us by imperative necessity, that, inspired with the greatest confidence in the justice of our cause, we have ordered our forces to advance, under Divine protection, against an enemy who violates the most sacred obligations and the law of nations.

We are convinced that our faithful subjects will add to our prayers the most ardent wishes for the success of our enterprise, and that they will implore the Almighty to grant his support to our brave soldiers, and to shed his Divine blessing on our arms, which are destined to defend our holy Religion and our beloved Country.

Given at St. Petersburgh, the $\frac{14}{26}$th April, in the year of Our Lord, 1828, and in the 3rd year of our reign.

NICOLAS.

The Vice-Chancellor,
Count Nesselrode.

No. 140.—*DECLARATION of the Porte, in Answer to the Russian Manifesto of $\frac{14}{26}$th April*, 1828. *June*, 1828.

(Translation, as laid before Parliament.)

Men of sound judgment and upright minds know, and reflection united with experience clearly proves, that the principal means of preserving order in the world and the repose of nations, consists in the good understanding between Sovereigns, to whom the Supreme Master, in the plenitude of His mercy, has entrusted, as servants of God, with absolute and unlimited power, the reins of government, and the administration of the affairs of their subjects. It results from this principle that the solid existence and maintenance of this order of things essentially depend upon an equal and reciprocal observation of the obligations established between Sovereigns, which ought, therefore, to be respected in common and scrupulously executed.

God, all powerful, be praised for this, that the Sublime Porte has, since the commencement of her political existence, observed those salutary principles more than any other Power; and, as the confidence of the Porte is founded on the precepts of the pure and sacred law, and of the religion which Mussulmans observe in peace as well as war, and having never consulted anything but the law, even in the slightest circumstances, she has never deviated from the maxims of equity and justice, and, as is generally known, has never been placed in the situation of compromising her dignity by infringing, without any legitimate motive, Treaties concluded with friendly Powers.

It is equally well known to the whole world, and incontestible, that with regard to the Treaties, Conventions, and Stipulations, for peace and friendship, concluded under diplomatic forms with Russia, as a neighbouring Power, the Porte has constantly exercised the greatest care in respecting the duties and rights of good neighbourhood, and in availing herself of all proper means for consolidating the bonds of friendship between the two nations.

The Court of Russia has, however, without any motive, disturbed the existing Peace,—has declared War, and invaded the territory of the Sublime Porte. Russia alleges that the Sublime Porte has caused this War, and has published a Manifesto (**Nos. 138, 139**), in which she accuses the Porte of not having executed the conditions

of the Treaties of Bucharest* and Ackermann (**No. 131**); of having punished and ruined the Servians after having promised them pardon and amnesty; of having demanded fortresses in Asia which were essentially necessary to Russia; of having, without regard to the two provinces of Wallachia and Moldavia, punished with death the most distinguished men of Greece; with having, while publicly declaring that Russia is a natural enemy of the Mussulman nation, endeavoured to provoke to vengeance, and direct against her, the bravery of all the Mussulman people; of having signed the Treaty of Ackermann (**No. 131**) with mental reservation, seized the cargoes of Russian ships, and instigated the Court of Persia to make War upon Russia; and finally it is made a subject of complaint, that the Pachas of the Porte were making warlike preparations. It is these, and other charges of the same nature, that Russia has brought forward, a series of vain inculpations, destitute of all real foundation. It will be proper to make each the subject of a reply, founded on equity and justice, as well as on the real state of the facts.

Though Russia has published that these are the principal motives for the Declaration of War, it is, however, generally known that the War which terminated with the Treaty of Bucharest was commenced by herself. In fact, before that War, the Porte had, on just and legitimate grounds, dismissed the Waivodes of Wallachia and Moldavia, and Russia then pretended that these dismissals were contrary to Treaties; and though the Sublime Porte represented in an amicable manner things under the real aspect, Russia refused to listen to the reasons advanced; and as she continued to insist in her pretensions, the Sublime Porte, with the sole view of preserving Peace, and of maintaining the relations of friendship, did not hesitate to restore the dismissed Waivodes, without paying attention to the consequences of such a condescension. But while Russia declared herself fully satisfied, and under the ministry of Gahib Pacha, then Reis Effendi, officially notified, through the first interpreter, Councillor Fonton, that the differences and difficulties existing on that account, between the two Courts, were completely removed, she immediately and unexpectedly made an attack on the side of Chotien and Bender. According to the regular course, the Sublime Porte demanded explanations from the Russian Ambassador, who tried to deceive, and formally disavowed what had taken place, adding that Russia was in a state of Peace and friendship with the Sublime Porte; that if War had been

* ($\frac{16}{28}$th May, 1812.) See Appendix.

intended, the Ambassador must necessarily have known it; and that it could only be supposed that the Russian troops had some motive for advancing.

When the fact was finally proved, the Sublime Porte was under the necessity of resisting; but having a natural repugnance to War and the shedding of blood, she imposed on herself a sacrifice, and signed the Treaty of Bucharest. Russia did not respect the Treaty. Among other infractions, instead of evacuating the Asiatic frontier, according to the basis and the tenor of the Treaty, she unjustly annulled that Article, and regarded with indifference all the well-founded remonstrances of the Sublime Porte. Finally the Russian Plenipotentiaries at Ackermann, having altered and misinterpreted the pure sense of the Treaty, and being no longer able to answer the convincing arguments of the Turkish Plenipotentiaries, declared that a long space of time having elapsed since the Article in question had been executed, the Fortress claimed could not be given up. To such language the Turkish Plenipotentiaries might well have replied, that if the non-execution, in due time and place, of Articles officially stipulated, warranted a total renunciation, the other Articles, the more or less prompt fulfilment of which was demanded of the Sublime Porte, might also remain *in statu quo*. But their instructions did not authorize them to hold a language so foreign to the Treaties, and so contrary to the law of nations. And their mission restricting them to the consolidation of the bonds of Peace they acceded. Nevertheless the Russian Declaration represents this demand of evacuation as having had no foundation in fact; and by pretending that we had already renounced it, evidently deviates from the path of truth.

It was agreed that the Russian Tariff should be renewed every two years, and the other friendly Powers have renewed their tariffs according to agreement. The Tariff of Russia, however, has undergone no change for 27 years. Since the expiration of the term the renewal has ofttimes been proposed to the Russian Envoys and Chargé d'Affaires at Constantinople, but the application was always made in vain; Russia refused to do justice to the well-founded demands of the Sublime Porte. The conduct of Russia, as well in words as in actions, in these two affairs of the evacuation and the tariff, showing so strikingly to what degree she respects Treaties and the principles of equity, how can she attribute to the Sublime Porte their violation? and how can such an imputation ever be admitted?

[War. Russia and Turkey.]

The imperial Amnesty promised to the Servians for the part they took in the War with Russia was fully granted after the Peace; and as a consequence of the natural clemency of His Serene Highness, particular concessions assured to them their welfare and their repose. The same nation afterwards disregarded the authority of the Sublime Porte, and dared to revolt separately and by itself. As the Servians are the subjects of the Sublime Porte, and as the Ottoman Government is entitled to treat them according to their conduct, either by punishing or pardoning, the merited chastisement was inflicted, and happiness restored to the country, without the slightest injury to Russia, or infringement of the Treaty of Bucharest. This affair of Servia, as well as other like points, distinct from Treaties, and even some events of smaller importance, which ought to be classed under natural accidents, always served as motives of complaints on the part of Russia, and she never renounced her embarrassing proceedings. However, the Sublime Porte continued to regard her as a pacific friend, to pay attention to all affairs which could have possibly any analogy with the Treaties concluded between the two States, and to observe scrupulously the rules of good understanding.

Some time before the Greek Insurrection, the Russian Envoy, Baron Strogonoff, pretending that the Sublime Porte had not executed certain stipulations, insisted in a demand for Conferences relative to the Treaty of Bucharest. Positive answers and conclusive conversations made known to him at different times, that as the Articles had already been executed, or being effectively and entirely carried into execution by the Sublime Porte, while, on the contrary, Russia had yet to prove her amicable fidelity by fulfilling stipulations the accomplishment of which had been deferred on her part, there was of course no occasion for the required Conferences. However, as he persisted in exceeding the orders of his Court, the opening of the conferences was at last conceded, but on the express condition of not introducing such objects as might tend to extend the meaning of Treaties, or change the tenor of Conventions. In the course of the Conferences the Russian Minister did not fail to raise more than one unreasonable discussion. However, the Articles of the above-mentioned Treaty were in the course of being examined, one by one, when the Greek Insurrection broke out, and it is notorious that the obstacles occasioned by that event were calculated to retard the labour in question.

The fugitive Ypsilanti then issued from Russia to invade publicly and unexpectedly Moldavia, at the head of a troop of rebels. He spread trouble and disorder through the two Principalities. Animated by the chimerical desire of establishing a pretended Government for Greece, he excited to revolt the whole of the Greek people, who are tributary subjects to the Ottoman Empire from father to son, misled them by his accursed Proclamations circulated everywhere, and instigated them to disown the authority of the Sublime Porte.

Every Power being authorised to arrest and punish malefactors within its own territories, and to manage all internal affairs tending to the maintenance of good order, as soon as the flame of rebellion was lit up on every side, the Sublime Porte resorted to suitable measures, sent troops against the rebels to restore tranquillity, crush rebellion, and purge the country, and labour to restore the privileges of the provinces, being far from wishing to annihilate them by the destruction of the malefactors. It is evident that no person whatever had any right to object to these and other measures which the Sublime Porte was bound to adopt, and which in such a conjecture could not be delayed. Nevertheless, the Russian Envoy invented divers objections, and originated several unreasonable differences, by discourses and proceedings little becoming the agent of a powerful friend, in the midst of affairs so important which then occupied the attention of the Sublime Porte.

Some time after, Ypsilanti, being routed, returned to Russia, and the Hospodar of Moldavia, Michael Sutzo, having also taken refuge there with all his partisans, the Sublime Porte demanded, in the terms of Treaties, that these persons shall be delivered up, or punished where they were. Though between allied Powers there can be no greater humanity than fidelity to Treaties, Russia merely gave a vague answer inconsistent with all diplomatic rules, saying that humanity opposed their delivery. She thus violated and annihilated existing Treaties and rights to protect, and perhaps pay particular attention to, these individuals.

The remains of the rebels were still in the two Principalities, and the refugees were protected by Russia. The flame of the insurrection was increasing daily, when Russia demanded the evacuation of the two Principalities by the Ottoman troops, the nomination of the Hospodars, and the modification of indispensable measures, in which circumstances permitted no change to be

made. At the period when the principal persons among the Greeks and the insane leaders of the insurrection received the chastisement due to their proved crimes, very improper pretensions were put forward in their favour by Russia. Not the slightest wish was shown to yield an equitable ear to the just answers and amicable declarations which the Sublime Porte opposed to these pretensions, both verbally and by writing. Finally the Russian Envoy left Constantinople in a manner contrary to the duties of an Ambassador. The Grand Vizier immediately wrote to the Russian Prime Minister, and explained the whole truth to him. He represented in detail, that the system adopted and adhered to at all times by the Sublime Porte consisted in the pure intention of literally executing the Treaties concluded with friendly Powers, more particularly with Russia, her friend and neighbour, and in constantly attending to the means of maintaining good understanding and securing tranquillity. Contrary to our hope, the answer which we received was remote from the path of justice and truth.

As soon as the two Principalities were purged of the rebels which had defiled them, the Hospodars were appointed, the ancient privileges completely restored, and these two Provinces re-established on their former footing. Lord Strangford, the English Ambassador, on his return from the Congress of Verona, having in the course of his conversations on the existing circumstances, first observed the moderate conduct of the Porte to be free from all objection, declared officially and publicly at different times, and in full conference, that if the Sublime Porte would also consent to reduce the number of the *beshlineferat* who were under the command of the *bash-beshli-aga* of the Principalities, there would then remain no subject of dispute or difference between the Sublime Porte and Russia, and the good harmony of the two Courts would rest on solid bases. Putting faith in this notification, and wishing to remove every cause of discord, the Sublime Porte acquiesced in this proposition also; the number of the *beshlineferat* was reduced. M. Minziacki, then the Russian Chargé d'Affaires, expressed the great satisfaction of his Court at this reduction.

Shortly after the question of the rank of the *bash-beshli-aga* began to be discussed. Russia intimated officially that she wished them to be changed, and superseded by individuals without rank. This favour was also granted solely to please Russia. Immediately after

M. Minziacki presented an official note in the name of his Court, demanding that Plenipotentiaries should be sent to the Frontiers, to explain the Treaty of Bucharest. The Plenipotentiaries whom the Sublime Porte sent to the frontier, with the view of terminating the Conferences, began for the same object with Baron Strogonoff, and in the hope that this time at least, all discussion being terminated between the two Empires, the desired Peace would be obtained. Having been afterwards artfully drawn by Russia as far as Ackermann, they began by laying down the principle of not departing from the circle of the Treaties, and not altering or changing the sense of the stipulations, in the same manner as had been previously agreed upon with the same Envoy. The two parties agreed to this basis, and the Conferences were opened. After some meetings the Russian Plenipotentiaries presented, contrary to the agreement, a detached document, under the title of "Ultimatum," demanding that the same should be accepted and approved, such as it was. In vain the Turkish negotiators endeavoured to obtain the abandonment of this proposition, by representing how contrary it was to diplomatic forms, and to the basis of the Conferences. "Our mission," replied the Russians, "has for its sole object to procure the acceptance of this document." And here the Conferences closed.

Finally, as the Russian Plenipotentiaries had in the course of the Conferences admitted the Greek question to be an internal affair belonging to the Sublime Porte, and as they had officially declared, in the name of their Court, that Russia would not mix herself in any way therewith, and that they would completely tranquillize the Sublime Porte on this point,—seeing that this Declaration was entered in the Protocols kept according to custom by both parties,—seeing, moreover, that according to the reasons, legislative, political and national, which prevent the Sublime Porte from admitting any foreign interference on the Greek question, the promise of Russia not to meddle with it was a sincere mark of regard towards the Sublime Porte; this Declaration therefore, appearing to be a pledge of peace and friendship between the two Empires for the present and the future, the closing of the Conferences was implicitly based on the said Declaration, and the Treaty was readily concluded without much attention to each particular Article.

M. de Ribeaupierre, Envoy from Russia, on arriving at Constantinople, received all the accustomed honours—all the marks

of respect due to his person. The greater part of the Articles of the above Treaty had already been carried into execution, and the means of equally executing the others were under consideration, when the Greek affair, the discussion concerning which had continued so long, and resounded in all ears, came back again into question;—an affair on which the Sublime Porte had already a thousand times given categorical and official replies; an affair, moreover, in which Russia had formally promised not to interfere. A Treaty then appeared unjustly concluded against the Sublime Porte, and without its knowledge. Notwithstanding the presence of M. de Ribeaupierre, who, when at Ackermann, as Second Plenipotentiary of his Court, was one of those who officially announced that Russia would not interfere with the Greek question,—notwithstanding the presence of the other Plenipotentiaries, and notwithstanding the existence of the Protocols, the Declaration was openly denied. This new proposition, so violent that it was impossible for the Sublime Porte to accept it, either consistently with law or policy, was put forward, and a hearty refusal given to the request to lend a favourable ear to the legal excuses and real obstacles which the Sublime Porte had, with good faith, at different times alleged on this subject.

Finally, the fatal event of Navarino,*—an event unheard of and unexampled in the history of nations,—still made no change in the amicable relations of the Sublime Porte; but, not content with the concessions which the Sublime Porte might, from regard solely to the three Powers, and without any further addition, grant to the country still in rebellion, the Russian Envoy departed from Constantinople without motive or reason.

Were the Sublime Porte to detail her numerous complaints, and insist upon her just rights, each of the points above stated would become in itself a special Declaration. But the circumstances which preceded and followed the Greek Insurrection having clearly demonstrated what was its origin, and the natural progress of events having only tended to confirm the opinion previously formed, the Sublime Porte, without wishing to impute the origin of the revolution to any quarter, continued to testify toward Russia all the respect and all the friendship which Treaties and vicinage required; she endeavoured to maintain the most favourable relations, but of this no account was taken. Besides, inasmuch

* The battle of Navarino was fought on the 20th October, 1827.

as the Sublime Porte, from the desire of preserving peace, displayed a mildness and condescension, in so much did Russia oppose to her reserve and hostile proceedings. It was natural that such a conduct should excite in the minds of Mussulmans the idea of inert enmity, and awaken among them all the ardour of Islamism.

Besides that nothing can prove the reproach which Russia addresses to us, of having concluded the Treaty of Ackermann with a mental reservation—the Proclamation which the Sublime Porte for certain reasons circulated in its States, being an internal transaction, of which the Sublime Porte alone knows the motive, it is evident that the language held by a Government to its own subjects cannot be a ground for another Government picking a quarrel with it.

Nevertheless, immediately after the departure of the Envoy, the Grand Vizier, in an official letter to the Prime Minister of Russia, clearly expressed that, faithful to the good intentions so long manifested, the Sublime Porte was always desirous of maintaining Peace. Now if Russia had equally desired, as she pretended in her Declaration, sincerely to maintain Peace between the two States, as all discussions between Powers ought to be based on the text of Treaties, or on official documents, the official letter of the Grand Vizier well deserved to be accepted and taken into consideration according to diplomatic practice; and in the hypothesis of this Proclamation having given some suspicion to Russia, the course of communication not being obstructed between the two Courts, Russia might have applied amicably to the Sublime Porte to ascertain the truth and to clear up her doubts. Far from following this course, perhaps even without taking into consideration the correct information transmitted on the subject by the representatives of other friendly Powers who were still here, she hastened to class that Proclamation among the number of her complaints and pretexts. Then is not the party which has declared War evidently that which must have concluded the Treaty of Ackermann with a mental reservation? The facts carry their proof along with them, and relieve us from the necessity of further demonstration.

We come now to the seizure of the cargoes of Russian vessels. Though the corn which the Ottoman Provinces furnished, is, thanks be to God, sufficient for the consumption of the capital, nevertheless the Blockade, established contrary to Peace and good

understanding for the purpose of preventing the Mussulman troops in the Morea from receiving provisions, we have determinde to transport from certain parts of Roumelia to that Peninsula the grain destined to the capital, it became necessary to supply the deficit thereby created here in a way heretofore practised, and which equally affected the merchants of other friendly nations. The corn of the Russian merchants was purchased at the current market price for the subsistence of Constantinople, and the amount paid to the owners. This measure, arising solely from the Blockade, cannot be made a just cause of complaint against the Sublime Porte. Besides, the immense losses which the Sublime Porte has experienced in consequence of the Greek Revolution, as well as the damage caused at Navarino, give it a full right to complain, while others had no title to speak of their losses, their commerce enjoying greater advantages than before.

As to the reproach of having excited Persia against Russia, it is a pure calumny. Never did the Sublime Porte think it consistent with its dignity to instigate one nation against another. Far from exciting Persia, the Sublime Porte observed the strictest neutrality, neither mixing itself up with the origin or the issue of the War or the Peace between the two Empires. If some neighbouring Pachas made preparations, they were only measures of precaution usual to every State bordering upon two other nations at War. It thus clearly appears that the endeavour of Russia to ascribe these preparations to hostile intentions towards herself, has as little foundation as the rest.

Russia has constantly made use of the protection, and of the interests which she felt or professed, in favour of the unfortunate inhabitants of Wallachia and Moldavia, to excite all sorts of discussions against the Sublime Porte. Would any one wish to convince himself that her true object was not to protect them, but to pick a quarrel with us, let him consider the evils which have been inflicted upon them by the invasion of Ypsilanti, and by the unjust inroad of the Russian Army in contempt of Treaties. Such are the inhabitants whom Russia pretends to protect! It is to Russia to whom they owe their ruin. It was very easy for the Sublime Porte to cause her victorious troops to enter the two Principalities after she knew that Russia was making preparations to invade them; but never having at any time permitted, contrary to the Divine law, the least vexation towards her subjects, and being anxious to insure the welfare and tranquillity of

the two Provinces under the shade of the Imperial Throne, she abstained in order to spare the misfortunes of the inhabitants.

In a word, the Sublime Porte makes the present Declaration that none may have anything to say against her; that it may be weighed in the balance of equity and truth, how much injustice there was on the part of Russia in resisting the important demands and the grave complaints of the Sublime Porte, which are as clear as the sun, in inventing all kinds of objections, in interpreting in a thousand different ways the system followed by the Ottoman Government, and in declaring War without motive or necessity; in fine, that exempt from every kind of regret respecting the means of resistance which the Mussulman nation will employ, relying upon the Divine assistance, and acting in conformity with the holy law, she may be able to clear her conscience of an event which will occasion now and henceforward trouble to so many beings, and perhaps may shake the tranquillity of the whole world.

June, 1828.

No. 141. — *PROTOCOL of Conference between the Representatives of Great Britain, France, and Russia, relative to the Insular and Continental Boundaries of Greece, &c. Poros, 12th December, 1828.**

TABLE.

Preamble. Reference to Treaty of 6th July, 1827.
§ 1. Portions of *Greece* freed from presence of the *Turks*.
2. Claims of *Greece* to Independence.
3. Maritime Defences necessary to *Greece*.
4. Continental Boundary.
5. *Thessaly* and *Epirus* not to be included in Continental Boundary.
6. Continental Boundary should include Gulf of *Arta* to the Pass of *Macrinoros*, and the chain of Mount *Othryx*.
7. Steps necessary to be taken to secure proposed Frontier.
8. Insular Boundary.
9. Tribute.
10. Payment of Tribute.
11. Indemnity.
12. Suzerainty.

ANNEXES A. Preliminary considerations.
„ B. Continental Boundary.
„ C. Insular Boundary.
„ D. Tribute.
„ E. Indemnity.
„ F. Suzerainty.

(Translation as laid before Parliament.†)

Reference to Treaty of 6th July, 1827.

AFTER mature consideration of the information furnished by the Greek Government, and after frequent communications with Count Capodistrias, the Representatives, conforming themselves carefully to the instructions with which they have been collectively furnished, agree to record in this Protocol their definitive opinion upon the several points of the Treaty of London (6th July, 1827) (**No. 136**), upon which the Courts are called upon in their benevolence to decide.

Acknowledging, on the one hand, the impossibility of obtain-

* See also Protocols of 22nd March, 1829, and 3rd February, 1830; Arrangement of 21st July, 1832; and Treaties of 7th May, 1832; 30th April, 1833; 13th July and 14th November, 1863; and 29th March, 1864.

† For French version, see "State Papers," vol. xvii, p. 405.

ing perfectly accurate details respecting the statistics of Greece, where ruin, the result of the war, has succeeded to the arbitrary dominion of the Pashas,—and admitting on the other, that the information which has been acquired, is, notwithstanding these difficulties, sufficient to furnish useful data and approximate estimates; religiously adhering to the principles and object of the Treaty of London, the aim of which is the pacification of the Levant by means of a Mediation—if that be still possible; and, in the last place, confining themselves to seeking for Greece, guarantees for tranquillity, and facilities for defence, the Representatives have come to the following conclusions relative to the four questions specified in their instructions, namely; Boundaries, Tribute, Indemnity, and the relations of Suzerainty to be established between the Ottoman Porte and the Greek Government.

Portions of Greece freed from presence of the Turks.

§ I. The only parts of Greece actually freed from the presence of the Turks, within the Limits specified by the instructions, are, the Morea, the Islands, and some detached portions of Roumelia.

Claims of Greece to Independence.

§ II. Those parts of the Greek Continent which have taken the most active and persevering share in the Insurrection, and in which the Christian population generally, in consequence of its numbers, and of the comparative extent of its possessions, has the best claims to the Independence contemplated by the Treaty, are to be found between the Isthmus of Corinth, and the high mountains which traverse the Continent from the Gulf of Arta to the Gulfs of Zeitoun and Volo.

Maritime Defences necessary to Greece.

§ III. With respect to the means of Maritime Defence, and looking, in the first place, only to the Morea, it would be of great importance for the tranquillity and the security of that Peninsula, that the Greeks should be put in possession of the northern shore of the Gulf of Corinth, and even of that of the Gulf of Patras; although the latter would be, in this point of view, of less urgent necessity. In examining with a like view the situation of Attica, Bœotia, and Locris, it is to be feared that these provinces would not enjoy lasting tranquillity if the Island of Negropont should not be annexed to them.

Continental Boundary.

§ IV. No line combining in its whole extent the requisite qualities, and including at the same time the Coast described in the foregoing paragraph, is to be found among those specified in the instructions. On the land side, the ridges of Parnes and Cithæron would present a line which would be easy of defence, and would sufficiently separate the population located on either side; but this line would be defective with respect to the sea coast, and would moreover exclude a very considerable portion of the insurgent population. The line which, commencing at Thermopylæ, follows the ridge of Mount Œta and Corax, and ends at Lepanto, although it fulfils the necessary conditions, in the greater part of its extent, would nevertheless not suffice for the purposes of defence, without expensive works; and even then it would, in other respects, still remain imperfect. The line of Mount Œta, continued to the Gulf of Arta, would doubtless present one of the strongest barriers for defence, and for the separation of the inhabitants: it would include the provinces which formerly constituted *Greece Proper* or *Hellas;* but it would require artificial works more or less expensive, in order to close the Pass of Thermopylæ; and would exclude the position of the Gulf of Zeitoun, the occupation of which, by the Turks, would threaten the Greek line of defence, and would expose the communications of the Greeks by sea to continual constraint and collision.

Thessaly and Epirus not to be included in Continental Boundary.

§ V. The two lines of Frontier proposed by the Greek Government, independently of their special defects, would include Thessaly and Epirus, a few districts of which alone have taken any share in the Insurrection, and of which several of the chiefs have even borne arms for the Porte; while the Greek population in general has lived peaceably with the Turks settled in those provinces. On this account, these two lines could not be adopted without contravening the principles on which the Representatives are bound by their instructions to found their opinion.

Continental Boundary should include Gulf of Arta to the Pass of Macrinoros, and the chain of Mount Othryx.

§ VI. In order to complete the system of defence, and to give to the system of separation the best guarantee for the fulfilment of the wishes of the great majority of the Greeks; and

lastly, to satisfy more effectually than could be done by any other of the proposed lines, all the conditions specified in the instructions, the Frontier of Greece should be advanced to the Gulf of Arta, and to the Pass of Macrinoros, on the one side; and, on the other, to the chain of Mount Othryx, near the entrance of the Gulf of Volo; unless considerations of a higher nature should make it necessary to fix the Limits of Greece, by other rules than those which, according to the text of their instructions, ought to guide the opinion of the Representatives.

Steps necessary to be taken to secure proposed Frontier.

§ VII. In order to establish this Frontier, it would be necessary to cause the Turkish garrisons of several forts and positions to withdraw, and it would even be necessary, according to the letter of the Treaty, to oblige the Turkish inhabitants to quit the country, who, according to the information furnished by the Greek Government, amount to upwards of 8,000 souls, domiciled principally in the Negropont, at Zeitoun, and at Patradjick. Considering the actual state of the Greeks, this twofold operation would require the employment of the troops of the Allies.

Insular Boundary.

§ VIII. With respect to the Islands, the parallels of latitude and longitude specified in the instructions will include (with the exception of Samos) all those which, looking to their population, to the state of prosperity, to the share which they have taken in the Insurrection, and to their entire separation from the Turks, possess the most indisputable claims to form a part of the new Greek State. But without those limits are the Islands of Samos and Candia, which although distant from the body of Greece, are associated with it by common interests; and although their respective cases rest on different grounds, they deserve the benevolent consideration of the Courts, with regard to their claims to the application of the Treaty of London in their favour. With respect to the Island of Negropont, it is so closely connected with the adjacent parts of the Greek continent, that in the definition of the Frontier most suitable to the latter, it has already found the place which nature and the wants of Greece assign to it.

Tribute.

§ IX. As the Tribute to be paid to the Sultan is calculated

upon the amount of that which the Greek inhabitants of the country to be erected into the new State, formerly paid to His Highness, in their character of Christian Rayahs, and as it ought therefore to be of the nature of an Indemnity, it is thought that the annual payment of 1,500,000 Turkish piastres, calculated on the receipts of the *Haratch* and the *Avariz*, as well as on the amount of the gross Tribute paid formerly by the Islands, will best fulfil the required conditions.

Payment of Tribute.

§ X. Considering the devastations of the War, and the urgent necessities of the country, it is obvious, that as long as the Porte shall not have subscribed to the proposed conditions, the resources of Greece cannot sufficiently develop themselves to enable it to effect the discharge in full of this Annual Tribute. The payment of this Annuity ought to be graduated in such a manner as to increase from year to year, dating from the moment of the conclusion of Peace, until it attains the *maximum* of 1,500,000 Turkish piastres, a sum which, from that period, should be paid annually to the Porte without any other addition or diminution.

Indemnity.

§ XI. The Indemnity to be paid, either to the former Mussulman Proprietors of the Lands which devolve to the Greeks, or to those who had a legal and beneficial interest in such properties, shall, on the one hand, be calculated on the real value of the lands, and, on the other, on the means possessed by the Greeks to indemnify the former Proprietors. The Lands shall serve as security for this Indemnity. Public Property shall not share in the Indemnity.

The verification of the Titles, and the liquidation of the admitted Claims, shall be effected by a Mixed Commission, which shall commence its labours so soon as the Porte has acceded to the new state of affairs; and which shall fix the value of the Land, and the periods of payment, subject to appeal to the Arbitration of the Agents of the Allied Courts.

Suzerainty.

§ XII. As the share which the Ottoman Porte is to take in the nomination of the Greek Authorities, is to be confined to the Chief Authority alone; and as its only object is to mark the

relations of Suzerainty between the Porte and Greece, in such manner, however, as to give to the former such a guarantee as may be compatible with the peace and well-being of the new State; it is necessary that a single individual should be made the depositary of the Central Authority of Greece, and that the Succession should be secured to the Legitimate Heirs of this individual. As soon as the Porte shall have consented to this arrangement, the only mode in which it shall participate in each devolution of this Authority, shall be that of investiture; saving the enjoyment of the right secured to it by the Treaty, whenever Greece shall be necessitated to have recourse to election, in order to supply the want of Heirs in the established line of Succession.

Such are the conclusions at which the Representatives have definitively arrived; and in order the better to elucidate the motives by which they have been guided, and the opinions which they submit to their Courts, they annex to the present Protocol the accompanying explanatory statements (A, B, C, D, E, F).

STRATFORD CANNING.
COUNT GUILLEMINOT.
RIBEAUPIERRE.

ANNEXES A. *Preliminary Considerations.*
„ B. *Continental Boundary.*
„ C. *Insular Boundary.*
„ D. *Tribute.*
„ E. *Indemnity.*
„ F. *Suzerainty.*

No. 142.—*PROTOCOL of Conference between Great Britain, France, and Russia, relative to the Continental and Insular Boundaries of Greece, &c. London, 22nd March,* 1829.*

[The Porte declared its adhesion to this Protocol in its Treaty with Russia of 14th September, 1829, Art. IX.]

TABLE.

Reference to Treaty of 6th July, 1827. Continental and Insular Boundary. Tribute to the Porte. Indemnity. Suzeranity of the Porte. Amnesty. Right of Emigration. Commercial Relations to be defined. Maintenance of Armistice. *Great Britain* and *France* not to conclude any Arrangement not conformable to above Bases. Representation of *Russia.*

(Translation.†)

PRESENT: The Plenipotentiaries of Great Britain, France, and Russia.

The Plenipotentiaries of the Alliance, after having read and taken into consideration the documents annexed to the Protocol, Litt. A. B. C. D., determined what follows.

Reference to Treaty of 6th July, 1827.

The Ambassadors of France and Great Britain at the Ottoman Porte, shall open at Constantinople, so soon as they shall arrive there, a negotiation with the Turkish Government, in the name of the 3 Courts who signed the Treaty of the 6th July, 1827 (**No. 136**), respecting the Pacification and future organisation of Greece, in conformity with the bases hereinafter pointed out.

It is, however, fully understood that each of the Allied Courts reserves to itself the right of weighing the merit of the objections which the Ottoman Porte may make to the propositions which shall be communicated to it, in virtue of the present Protocol; and that in the event of such objections being raised, it will be open to the 3 Powers to concert other proposals, founded upon the desire which will always animate them, of terminating speedily the question upon which they are at present engaged.

Continental and Insular Boundary.

It shall be proposed to the Porte that the point of departure

* See also Protocols of the 22nd March, 1829, and 3rd February, 1830; Arrangement of 21st July, 1832; and Treaties of 7th May, 1832; 30th April, 1833; 13th July and 14th November, 1863; and 29th March, 1864.

† For French Version, see "State Papers," vol. xvi, p. 1095.

for the Continental Boundary shall be near the entrance of the Gulf of Volo; from whence the line ascending to the crown of the Othryx, shall follow its whole range as far as the summit, situated to the east of Agrapha, which forms its point of junction with the chain of Pindus. From this summit it will descend into the valley of the Aspropotamos, by the south of Leontitos, which it will leave to Turkey; crossing afterwards the chain of the Macrinoros, it will include in the Greek Territory the defile of that name, which leads from the plain of Arta, and will terminate in the sea at the Ambraciot Gulf. All the provinces situated to the south of that line shall be comprised in the new Greek State.

The Islands adjoining the Morea, the Island of Eubœa, or Negropont, and the Islands commonly called Cyclades, shall form part of that State.

Tribute to the Porte.

It shall be proposed to the Ottoman Porte, in the name of the three Courts, that the Greeks shall pay to it an annual Tribute, amounting in the whole to 1,500,000 Turkish piastres.

To prevent all controversy, the relative value of the Turkish piastre to the Spanish dollar shall be settled, once for all, by common agreement.

Considering the state of penury to which Greece is reduced, it shall be agreed that from the time at which the payment of the Tribute shall commence, Greece shall pay to the Porte for the first year a sum which shall be neither less than a fifth, nor more than a third, of the total of the Tribute; that that sum shall be augmented from year to year, until, in the course of four years, the annual Tribute shall reach the maximum of 1,500,000 piastres, which the State shall continue to pay every year, without any diminution or addition whatsoever.

Indemnity.

It shall be proposed to the Ottoman Porte that the Indemnity mentioned in Article II of the Treaty of 6th July, 1827 (**No. 136**), shall be regulated in the manner hereinafter pointed out.

The parties who shall be admitted to prove their titles shall be:—

1. The individual Mussulman proprietors of real estates situated in the territory which is to constitute Greece.

2. The individual Mussulmans, who, either as usufructuaries, or as hereditary administrators, had a beneficial interest in the *Vacoufs-ady*, holding of the Mosques situated in the same terri-

tory; saving the deduction therefrom of the amount of the fines with which those *Vacoufs* were burthened.

The individual Mussulmans of these two classes, whose titles shall have been recognised as regular, shall be at liberty themselves to sell their properties in the space of one year, saving the previous payment of the debts hypothecated upon them. If, during that period, this sale should not have been effected, Commissioners shall value the unsold properties, and, as soon as the amount of the sum due to the former proprietors, their heirs or assigns, shall be fixed, the Greek Government, in effecting the liquidation of the claims, shall deliver to the recognised creditors bonds on the State, payable at fixed periods.

The verifying of the titles, as well as the valuation of the properties, shall be confided to a mixed Commission, composed of Greek and Mussulman Commissioners, in equal number on both sides, which shall be charged to receive and examine all the claims with the least possible delay, and to decide upon the validity of the documents which shall be produced to them. The Commission shall besides fix general regulations for cases in which the titles of the claimants may have perished during the Revolution, and those regulations shall be communicated to the parties interested.

In order to solve the difficulties to which these operations may possibly give rise between the Greek and Ottoman Commissioners, and in order to establish at the same time a system calculated to abridge the period of this liquidation, and to lead in each case to a definitive decision, there shall be instituted a Commission of appeal and arbitration, composed of Commissioners of the three Allied Powers, who shall decide in the last instance upon all the claims respecting which the Ottoman and Greek Commissioners shall not have been able to come to an understanding.

Suzerainty of the Porte.

Greece shall enjoy, under the Suzerainty of the Porte, the internal administration best calculated to guarantee the religious and commercial liberty, as well as the prosperity and the repose, which it is desred to assure to it.

With this view, that administration shall be assimilated, as much as possible, to monarchical forms, and shall be confided to a Christian Chief or Prince, whose authority shall be hereditary, in the order of primogeniture.

In no case can that Chief be chosen among the Princes of the families reigning in the three States of the Powers who signed the Treaty of 6th July, 1827 (**No. 136**); and the first choice shall be effected in concert between the three Courts and the Ottoman Porte.

In order to mark the relations of Vassalage on the part of Greece towards the Ottoman Empire, it shall be agreed that besides the payment of the annual Tribute, every Chief of Greece, when the hereditary authority shall have devolved upon him, shall receive his investiture from the Porte, and shall pay to it a supplementary year's Tribute upon his accession to power.

In case of the extinction of the reigning branch, the Porte shall participate in the choice of the new Chief, in the same manner as it took part in the choice of the first.

Amnesty.

The Ottoman Porte shall proclaim a full and entire Amnesty, in order that no Greek, throughout the whole of its dominions, may thereafter be molested in consequence of the part which he may have taken in the Insurrection of Greece.

The Greek Government, on its side, shall allow all who have been opposed to them, whether Christians or Mussulmans, to enjoy the same sort of security within the limits of Greece.

Right of Emigration.

The Sublime Porte shall grant to those of its Greek subjects who may desire to quit the Turkish territory, the delay of a year in order to sell their properties, and to depart freely from the country. The Greek Government shall allow the same liberty to those of the inhabitants of Greece who may prefer to return to the Ottoman territory.

Commercial Relations to be Defined.

The Commercial relations between the Porte and the Greeks shall be defined at a future opportunity, so soon as the points specified in the present Protocol shall have been settled.

Maintenance of Armistice.

The Ambassadors of Great Britain and of France shall be charged to require of the Ottoman Porte the maintenance of the Armistice which the Reis Effendi, by a letter addressed on the 10th of last September to the Representatives of the Alliance in

the Archipelago, declared to exist *de facto* on the part of the Turks towards the Greeks.

The three Courts shall equally require, grounding their demand upon the existence of the same Armistice, upon the steps which they are taking to assure its maintenance, and upon the negotiations which are about to be opened at Constantinople for the purpose of fixing the fate of Greece; that the Greeks shall immediately cease hostilities on all points, and that the Provisional Government of Greece shall withdraw within the limits of the territory guaranteed by the Alliance the Greek troops which may have passed that frontier; it being understood, however, that this last-mentioned step shall not in any way prejudge the question of the Boundary of the future Greek State.

The arrangements above pointed out, when concluded with the Porte, shall be placed, in conformity with the VIth Article of the Treaty of the 6th July [1827] (**No. 136**), under the Guarantee of such of the signing Powers as shall think it advantageous or possible to contract that obligation, the effects and operation of which shall become the object of further stipulations between the High Powers, agreeably to the purport of the said Article of the Treaty of the 6th of July. It is nevertheless understood, from henceforth, that the guarantee in question shall assure the Ottoman Porte against every hostile enterprise or act on the part of the Greeks, and the Greeks against every hostile enterprise or act on the part of the Porte.

Great Britain and France not to conclude any Arrangement not conformable to above Bases.

The Ambassadors of Great Britain and France shall not conclude any Arrangement which shall not be conformable to the bases above established.

Representation of Russia.

Although in this negotiation Russia consents not to be represented by a Russian Plenipotentiary, it is understood that this same negotiation shall be conducted by the Representatives of the Courts of London and Paris, in the name of Russia, equally as in the names of England and France; that all the proposals shall be put forward on behalf of the three Contracting Powers of the Treaty of 6th July, 1827 (**No. 136**); and that no demand tending to exclude Russia, directly or indirectly, from the negotiation in question, or from its results, shall ever be admitted.

[Boundary of Greece.]

The Representatives of Great Britain and of France shall exert themselves by all the means in their power to obtain, with the shortest possible delay, the adhesion of the Porte to the propositions which they shall be charged to make to it. Under any circumstances, they will require of the Ottoman Government prompt answers to these propositions.*

The official reports to which these negotiations shall give rise, shall be drawn up in common, and signed by the two Plenipotentiaries in triplicate, one copy of which shall be addressed to each of the Contracting Powers.

The present Protocol, so far as it concerns the bases of the negotiation which the Ambassadors have to open with the Ottoman Porte, and the method which they are to pursue in the progress of these negotiations, shall serve for their instructions.

The Plenipotentiary of His Majesty the Emperor of Russia formerly declared himself to be authorised by his Sovereign to consent that the Ambassadors of Great Britain and of France shall negotiate with the Ottoman Government in the name of His Imperial Majesty, and to consider the said Ambassadors from this moment as furnished with the necessary Full Powers to treat on the part of Russia, upon the bases and according to the conditions settled above.

The Plenipotentiaries of Great Britain and of France stated, that in consequence of that Declaration, and with the view of accomplishing the object of the present Protocol, the Representatives of their Courts at the Ottoman Porte should consider themselves, without requiring any other formalities, as duly authorised to treat as well in the name of the Emperor of Russia as in that of their respective Sovereigns, and that they should receive orders to proceed without delay to Constantinople, to open negotiations in the joint name of the 3 Allied Courts, and in conformity with the bases and conditions above settled by common agreement.

ABERDEEN.
LE PRINCE DE POLIGNAC.
LIEVEN.

* See Declaration of the Porte of 9th September, 1829.

No. 143.—*BOUNDARY TREATY between Austria and Russia. Signed at Radziwilow,* $\frac{28\text{th June,}}{10\text{th July,}}$ 1829.

ART. TABLE.

Preamble. Reference to Treaty of *Vienna* of 3rd May, 1815.
1 and 2. Detailed Demarcation of the Line of Frontier between the *Russo-Polish* Provinces and *Bessarabia* on the side of *Russia*, and between *Gallicia* and the *Bucovine* on the *Austrian* side.
3. Limits of the Rivers *Boug, Styr, Zbrucz* or *Podhorce*, and *Dniester*.
4 and 5. Planting of Stakes fixing the Limits.
6. Map of the Frontier.
7. Ratifications.

(Translation.)

Reference to Treaty of Vienna of 3rd May, 1815.

In the Name of the Most Holy and Indivisible Trinity.

BE it known to all whom it may concern, His Majesty the Emperor of All the Russias, King of Poland, and His Majesty the Emperor of Austria, King of Hungary, Bohemia and Gallicia, having resolved to carry out Article XXXVIII of the Treaty of Friendship concluded at Vienna on the $\frac{21\text{st April}}{3\text{rd May}}$, 1815 (**No. 12**), for the re-establishment, by a Mixed Commission, of the Frontier, commencing at the Boug to the Dniester between the Russo-Polish Provinces and Gallicia, in accordance with the terms of Article III of the same Treaty, and their said Majesties having besides agreed to regulate and renew the Line of Demarcation between Bessarabia and the Bucovine, from the Dniester to the Pruth, have furnished with their Full Powers to that effect, namely:—

His Majesty the Emperor of All the Russias, King of Poland, the Sieur Frederic Auguste d'Auvray, General of Infantry, &c., and the Sieur Adam Bojanowicz, Colonel of the Staff, &c.;

His Majesty the Emperor of Austria, King of Hungary, Bohemia, and Gallicia, the Sieur Bozuslas Baron de Dyké, Government Councillor, &c., and the Sieur Emeric Baron de Blagoewich, Lieutenant-General of the Staff, &c.

The said Plenipotentiaries, having executed and caused to be executed the different labours which the nature of their Commission required, discussed in 18 meetings (the *Procès-verbaux* of

which have been drawn up and signed) the different questions which had arisen, and fixed in a visible, precise, and unalterable manner the Line of Frontier between the Russo-Polish Provinces and Bessarabia of the Russian Empire on the one part, and the Kingdom of Gallicia and the Bucovine of the Austrian Empire on the other, in accordance with the Treaty of Friendship above mentioned, and to subsequent arrangements between the Two Governments on the subject, as well as to the Instructions with which they have been furnished during the progress of their labours, after having exchanged their Full Powers, found to be in good and due form, have concluded, signed and settled the following Articles :—

Arts. I and II. *Detailed Demarcation of the Line of Frontier between the Russo-Polish Provinces and Bessarabia on the side of Russia, and between Gallicia and the Bucovine on the Austrian side.*

Art. III. *Limits of the Rivers Boug, Styr, Zbrucz or Podhorce, and Dniester.*

Art. IV and V. *Planting of Stakes Fixing the Limits.*

Art. VI. *Map of the Frontier.*

Art. VII. *Ratifications.*

In testimony whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done, in duplicate, at Radziwilow, the $\frac{28\text{th June}}{10\text{th July}}$, 1829.

(L.S.) F. D'AUVRAY.
(L.S.) ADAM BOJANOWICZ.
(L.S.) BOZUSLAS BARON DYKE.
(L.S.) EMERIC BLAGOEWICH.

No. 144.—*DECLARATION of Accession of the Ottoman Porte to the Treaty of 6th July, 1827,* for the Pacification of Greece. Signed at Constantinople, 9th September,* 1829.

[This Declaration was referred to in the Russian Manifesto of Peace with Turkey of the 1st October, 1829.]

(Translation as laid before Parliament.†)

The Sublime Porte declares that, having already adhered to the Treaty of London [6th July, 1827], (**No. 136**), it now further promises and pledges itself to the Representatives of the Powers who signed the said Treaty, to subscribe entirely to all the decisions which the Conference of London shall adopt.

Constantinople, 9th September, 1829.

* See also Treaties of 7th May, 1832; 13th July and 14th November, 1863; and 29th March, 1864.

† For French version, see "State Papers," vol. xvii, p. 195.

No. 145.—*TREATY of Peace between Russia and Turkey. Signed at Adrianople, 14th September, 1829.**

ART. TABLE.

1. Cessation of Hostilities.
2. Restoration of *Moldavia, Wallachia,* &c., to *Turkey*.
3. The River *Pruth* to form Boundary of the two Empires. Navigation of the *Danube* by Merchant Vessels and Ships of War.
4. Asiatic Boundary between *Russia* and *Turkey*.
5. *Moldavia* and *Wallachia* placed under Suzerainty of the Porte, enjoying an Independent National Government.
6. Measures for tranquillity of *Servia*.
7. Freedom of trade in *Turkey*. Free passage to *Russian* Merchant Vessels in *Straits of Constantinople* and *Bosphorus*. Freedom of Trade and Navigation in the *Black Sea*.
8. Indemnity due to *Russia*.
9. Cession of Territory to *Russia* to be agreed upon in part payment of Indemnity.
10. Adhesion of *Turkey* to Act of 22nd March, 1829, between *Great Britain, France,* and *Russia*.
11. Evacuation of Ottoman Territory by *Russia*.
12. Cessation of Hostilities.
13. Amnesty. Liberty of respective subjects to dispose of their Landed Property. Power of respective subjects of Ceded Countries to dispose of their Landed Property, and to reside in either Country.
14. Restoration of Prisoners. Exception in favour of Christians who have become Mahometans, and Mahometans who have become Christians. Prisoners taken after conclusion of Peace to be restored. Expenses of Prisoners of War not to be reimbursed.
15. Confirmation of Treaties.
16. Ratifications.

SEPARATE ACT (1) *relative to the Principalities of Moldavia and Wallachia.*

Hospodars to be elected for Life. Power of Hospodars. Non-interference by Turkish authorities in adjoining Provinces to interfere in affairs of *Moldavia* and *Wallachia*. Boundary of Principalities. Porte not to retain any fortified point or allow any establishment by Mussulman subjects on left bank of the *Danube*. Turkish Towns on left bank of the *Danube* to be restored to *Wallachia*. Mussulmans to sell their Landed Estates. Quarantine Establishment. Militia for security of Frontier, &c. Principalities freed from furnishing supplies for *Constantinople*, &c., or provide Workmen for erection of Fortresses, &c.

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* See General Treaty of 30th March, 1856; Protocol of 6th January, 1857; Treaty of 13th June, 1857; and Convention of 19th August, 1858.

Indemnity to Porte for relinquishing Rights. Sum to be paid on each appointment of Hospodars. Liberty of Trade to Inhabitants of Principalities, and freedom of Navigation of the *Danube*. Exemption from Taxes for two years. Confirmation of Administrative Regulations by Porte.

SEPARATE ACT (2) *relative to the Indemnifications for Losses in Trade, War Expenses, and Expenses attending Evacuation.*

1. Demolition of Fortress of *Giurgevo*.
2. Indemnity due to *Russia*. Periods of payment of Indemnity.
3. Indemnity to be paid to *Russia*.
4. *Russian* evacuation of *Turkish* Territory.

(Translation as laid before Parliament.*)

In the name of Almighty God.

HIS Imperial Majesty the very high and very powerful Emperor and Autocrat of All the Russias, and His Highness the very high and very powerful Emperor of the Ottomans, animated by an equal desire of putting an end to the calamities of war and of re-establishing Peace, friendship, and good harmony between their Empires, upon solid and immutable bases, have resolved, by mutual consent, to confide this salutary work to the care and management of their respective Plenipotentiaries; that is to say: His Imperial Majesty of All the Russias to the most Illustrious and most Excellent Count de Diebitsch, &c., who, by virtue of the supreme Full Powers with which he is furnished, has delegated and nominated as Plenipotentiaries on the part of the Imperial Court of Russia the most Excellent and most Honourable Count Alexis Orloff, &c., and Count Frederick Pahlen, &c.; and His Majesty the Emperor of the Ottomans, the most Excellent and most Honourable Mehemmed Sadik Effendi, Acting Grand Defterdar of the Sublime Ottoman Porte, and Abdoul-Kadir-Bey, Cazi-Asker of Anatolia; who, having assembled in the city of Adrianople, after having exchanged their Full Powers, have agreed upon the following Articles:—

Cessation of Hostilities.

ART. I. All hostility and dissention which, up to the present time, have existed between the two Empires shall cease from the date hereof, as well by land as by sea, and there shall be perpetual Peace, amity, and good intelligence between His Majesty the

* For French Version, see "State Papers," vol. xvi, p. 647.

Emperor and Padisha of All the Russias, and His Highness the Emperor and Padisha of the Ottomans, their heirs and successors to the Throne, as well as between their respective Empires. The two High Contracting Powers will employ a special attention for preventing all that may cause the renewal of any misunderstanding between their respective subjects. They will scrupulously fulfil all the conditions of the present Treaty of Peace, and will use all their vigilance to prevent its being contravened in any manner, either directly or indirectly.

Restoration of Moldavia, Wallachia, &c., to Turkey.

ART. II. His Majesty the Emperor and Padisha of All the Russias, desirous of giving His Highness the Emperor and Padisha of the Ottomans a proof of the sincerity of his amicable disposition, restores to the Sublime Porte the Principality of Moldavia, with the same limits which that Principality had before the commencement of the War which has just been terminated by the present Treaty. His Imperial Majesty likewise restores the Principality of Wallachia, the Banat of Crajova, without any exception whatsoever, Bulgaria and the country of Dobridgia, from the Danube as far as to the sea, together with Silistria, Hirchova, Matchin, Issactchi, Toultcha, Baba-dagh, Bazardjik, Varna, Pravadi, and other cities, towns, and villages which it contains, the whole extent of the Balkan from Emineh-Bournou as far as Kazan, and all the country from the Balkans as far as to the sea, together with Selimno, Ianboli, Aïdos, Carnabat, Messembria, Ahioli, Bourgas, Sizeboli, Kirk-Klissa, the city of Adrianople, Lulé-Bourgas, and lastly, all the cities, towns, and villages, and, in general, all the places which the Russian troops have occupied in Roumelia.

Pruth to form Boundary of the two Empires. Navigation of the Danube by Merchant Vessels and Ships of War.

ART. III. The Pruth shall continue to form the Boundary of the two Empires, from the point where that River touches the Territory of Moldavia as far as its confluence with the Danube.* From this place the frontier line shall follow the course of the Danube as far as the embouchure of St. George, so that while leaving all the Islands formed by the different branches of this

* Altered by General Treaty of 30th March, 1856, Art. XX. See also Protocol of 6th January, 1857, and Treaty of 19th June, 1857.

River in the possession of Russia, the right bank will remain, as heretofore, in that of the Ottoman Porte. It is, nevertheless, agreed that this right bank, commencing from the point where the St. George branch separates from that of Souline, shall remain uninhabited, to the distance of two hours from the river, and that no establishment of any kind whatsoever shall be formed thereon, and that in like manner it shall not be permitted to make any establishment or construct any fortification upon the Islands which shall remain in the possession of the Court of Russia, excepting always the quarantines which shall be thereon established. The merchant-vessels of the two Powers shall be competent to navigate the Danube throughout its whole course, and those which bear the Ottoman flag may freely enter the Kili and Souline embouchures, that of St. George remaining common to the war and merchant flags of the two Contracting Powers. But the Russian Ships of War must not, in sailing up the Danube, go beyond the place of its junction with the Pruth.

*Asiatic Boundary between Russia and Turkey.**

ART. IV. Georgia, Imeritia, Mingrelia, Gouriel, and several other Provinces of the Caucasus, having been for a long time and in perpetuity annexed to the Empire of Russia, and this Empire having moreover acquired by the Treaty concluded with Persia at Tourkmantchaï, on the $\frac{10\text{th}}{22\text{nd}}$ of February, 1828,† the Khanates of Erivan and Naktchivan, the two High Contracting Powers have been convinced of the necessity of establishing between their respective States, throughout the whole of this line, a well-defined frontier and such as shall prevent all future misunderstanding. They have likewise taken into consideration the necessary means for opposing insurmountable obstacles to the incursions and depredations which, up to the present time, have been practised by the frontier tribes, and which have so often compromised the relations of amity and good fellowship between the two Empires. In consequence whereof it has been agreed to recognize henceforth for the frontier between the States of the Imperial Court of Russia and those of the Sublime Ottoman Porte in Asia, the line which, following the present boundary of the

* See General Treaty of 30th March, 1856, Art. XXX; and Final Act of 5th December, 1857.

† As this Treaty relates entirely to the "Map of Asia" and not to the "Map of Europe" it is not given in this Work; but a copy of it will be found in "State Papers," vol. xv, p. 660.

Province of Gouriel, from the Black Sea, ascends to that of Imeritia, and thence in the most direct line to the point where the frontiers of the Pashalics of Akhaltzik and of Kars unite with those of Georgia, leaving, in this manner, to the north and within this line the city of Akhaltzik and the fort of Alkhalkhaliki, at a distance which must not be less than two hours. All the countries situated to the south and west of this line of demarcation towards the Pashalics of Kars and of Trebizond, together with the greater part of the Pashalic of Akhaltzik, shall remain in perpetuity under the dominion of the Sublime Porte, whilst those which are situated to the north and east of the said line, towards Georgia, Imeritia, and Gouriel, as well as the whole of the coast of the Black Sea, from the mouth of the Kouban as far as the port of St. Nicholas inclusively, shall remain in perpetuity under the dominion of the Empire of Russia. In consequence of which the Imperial Court of Russia gives up and restores to the Sublime Porte the remaining portion of the Pashalic of Akhaltzik, the city and the Pashalic of Kars, the city and the Pashalic of Bayazid, the city and the Pashalic of Erzeroum, as well as all the places occupied by the Russian troops, and which are situated without the above-mentioned line.*

Moldavia and Wallachia placed under Suzerainty of the Porte, enjoying an Independent National Government.

Art. V. The Principalities of Moldavia and Wallachia having been in consequence of a Capitulation placed under the Suzerainty of the Sublime Porte, and Russia having guaranteed their prosperity, it is understood that they shall preserve all the privileges and immunities which have been granted to them either by their Capitulations, or by the Treaties concluded between the two Empires, or by the Hatti-Sherifs promulgated at different times. In consequence whereof, they shall enjoy the free exercise of their Worship, perfect security, an independent national Government, and full liberty of Commerce. The additional clauses to the preceding stipulations, clauses which are judged to be necessary in order to secure to these two Provinces the enjoyment of their Rights, are consigned to the Separate Act hereunto annexed (1)†, which is and shall be considered as forming an integral part of the present Treaty.

Measures for Tranquillity of Servia.

Art. VI. The circumstances which have occurred since the

* See also Art. IX. † Page 824.

conclusion of the Convention of Ackermann (**No. 131**), not having allowed the Sublime Porte to occupy itself immediately with the carrying into execution the clauses of the Separate Act relative to Servia, and annexed to Article V of the said Convention; it undertakes in the most solemn manner to fulfil them without the least delay, and with the most scrupulous exactitude, and to proceed especially to the immediate restitution of the six districts detached from Servia, so as to secure for ever the tranquillity and welfare of that faithful and devoted nation. The Firman furnished with the Hatti-Sherif commanding the execution of the said clauses shall be delivered and officially communicated to the Imperial Court of Russia within the term of one month, reckoning from the signature of the present Treaty of Peace.*

Freedom of Trade in Turkey.

ART. VII. Russian subjects shall enjoy, throughout the whole extent of the Ottoman Empire, as well by land as by sea, the full and entire freedom of trade secured to them by the Treaties concluded heretofore between the two High Contracting Powers. This freedom of trade shall not be molested in any way, nor shall it be fettered in any case, or under any pretext, by any prohibition or restriction whatsoever, nor in consequence of any regulation or measure, whether of public government or internal legislation. Russian subjects, ships, and merchandise, shall be protected from all violence and imposition. The first shall remain under the exclusive jurisdiction and control of the Russian Minister and Consuls; Russian ships shall never be subjected to any search on the part of the Ottoman authorities, neither out at sea nor in any of the ports or roadsteads under the dominion of the Sublime Porte; and all merchandise or goods belonging to a Russian subject may, after payment of the Custom-house dues imposed by the tariffs, be freely sold, deposited on land in the warehouses of the owner or consignee, or transhipped on board another vessel of any nation whatsoever, without the Russian subject being required, in this case, to give notice of the same to any of the local authorities, and much less to ask their permission so to do. It is expressly agreed that the different kinds of wheat coming from Russia shall partake of the same privileges, and that their free transit shall never, under any pretext, suffer the least difficulty or hindrance.

* See Hatti-Sherif of 1st October, 1829; and Firmans of October, 1830; December, 1833; 24th December, 1838; General Treaty of 30th March, 1856, Art. XXVIII; and Protocol of 4th September, 1862.

Free Passage to Russian Merchant Vessels in Straits of Constantinople and Bosphorus.

The Sublime Porte engages, moreover, to take especial care that the trade and navigation of the Black Sea, particularly, shall be impeded in no manner whatsoever. For this purpose it admits and declares the passage of the Strait of Constantinople and that of the Dardanelles to be entirely free and open to Russian vessels under the merchant flag, laden or in ballast, whether they come from the Black Sea for the purpose of entering the Mediterranean, or whether, coming from the Mediterranean, they wish to enter the Black Sea: such vessels, provided they be merchant ships, whatever their size and tonnage, shall be exposed to no hindrance or annoyance of any kind, as above provided. The two Courts shall agree upon the most fitting means for preventing all delay in issuing the necessary instructions. In virtue of the same principle the passage of the Strait of Constantinople and of that of the Dardanelles is declared free and open to all the merchant ships of Powers who are at Peace with the Sublime Porte, whether going into the Russian ports of the Black Sea or coming from them, laden or in ballast, upon the same conditions which are stipulated for vessels under the Russian flag.

Freedom of Trade and Navigation in the Black Sea.

Lastly, the Sublime Porte, recognizing in the Imperial Court of Russia the right of securing the necessary guarantees for this full freedom of trade and navigation in the Black Sea, declares solemnly, that on its part not the least obstacle shall ever, under any pretext whatsoever, be opposed to it. Above all, it promises never to allow itself henceforth to stop or detain vessels laden or in ballast, whether Russian or belonging to nations with whom the Ottoman Porte should not be in a state of declared war, which vessels shall be passing through the Strait of Constantinople and that of the Dardanelles, on their way from the Black Sea into the Mediterranean, or from the Mediterranean into the Russian ports of the Black Sea. And if, which God forbid, any one of the stipulations contained in the present Article should be infringed, and the remonstrances of the Russian Minister thereupon should fail in obtaining a full and prompt redress, the Sublime Porte recognizes beforehand in the Imperial Court of Russia the right of considering such an infraction as an act of

hostility, and of immediately having recourse to reprisals against the Ottoman Empire.

Indemnity due to Russia.

ART. VIII. The arrangements formerly stipulated by Article VI of the Convention of Ackermann (**No. 131**), for the purpose of regulating and liquidating the claims of the respective subjects and merchants relatively to the indemnification for the losses incurred at various times since the War of 1806, not having been carried into execution, and the Russian trade having, since the conclusion of the aforesaid Convention of Ackermann, suffered fresh injury to a considerable extent, in consequence of the measures adopted with respect to the navigation of the Bosphorus, it is agreed and determined that the Sublime Porte, by way of reparation for these losses and injuries, shall pay to the Imperial Court of Russia, within the course of 18 months, at periods which shall hereafter be agreed upon, the sum of 1,500,000 ducats of Holland; so that the payment of this sum shall put an end to every reciprocal demand or claim of the two Contracting Powers, on the score of the circumstances above mentioned.*

Cession of Territory to Russia to be agreed upon in Part Payment of Indemnity.

ART. IX. The prolongation of the War to which the present Treaty of Peace happily puts an end, having occasioned the Imperial Court considerable expenses, the Sublime Porte acknowledges the necessity of offering it a suitable indemnification. Therefore, independently of the cession of a small portion of territory in Asia, stipulated in Article IV, which the Court of Russia consents to receive in part of the said Indemnity, the Sublime Porte engages to pay it a sum of money, the amount of which shall be fixed by mutual agreement.*

Adhesion of Turkey to Act of 22nd March, 1829, between Great Britain, France, and Russia.

ART. X. In declaring its entire adhesion to the stipulations of the Treaty concluded at London on the $\frac{24\text{th June}}{6\text{th July}}$, 1827 (**No. 136**), between Russia, Great Britain, and France, the Sublime Porte equally accedes to the Act entered into on the $\frac{10\text{th}}{22\text{nd}}$ of March, 1829 (**No. 142**), with common consent, between those same Powers upon the bases of the said Treaty, and containing the arrange-

* See also Separate Act (2), page 828.

ments of detail relating to its definitive execution. Immediately after the exchange of the Ratifications of the present Treaty of Peace, the Sublime Porte will appoint Plenipotentiaries for the purpose of agreeing with those of the Imperial Court of Russia, and of the Courts of England and of France, upon the carrying into execution the said stipulation and arrangements.

Evacuation of Ottoman Territory by Russia.

ART. XI. Immediately after the signing of the present Treaty of Peace between the two Empires, and the exchange of the Ratifications of the two Sovereigns, the Sublime Porte shall take the necessary measures for the prompt and scrupulous execution of the stipulations contained therein, and especially of the Articles III and IV, relative to the Boundaries which are to separate the two Empires, as well in Europe as in Asia, and of the Articles V and VI, concerning the Principalities of Moldavia and Wallachia, as well as Servia: and from the moment when these different Articles may be considered as having been executed, the Imperial Court of Russia will proceed to the evacuation of the territory of the Ottoman Empire, conformably to the principles established by a Separate Act (2), which forms an integral part of the present Treaty of Peace.*

Until the complete Evacuation of the Countries occupied, the administration and order of things which are there now established under the influence of the Imperial Court of Russia, shall be maintained, nor can the Sublime Porte interfere therein in any manner whatsoever.

Cessation of Hostilities.

ART. XII. Immediately after the signature of the present Treaty of Peace, orders shall be issued to the Commanders of the respective forces, as well on land as on sea, to cease from all hostilities; such as shall have been committed after the signature of the present Treaty shall be considered as not having occurred, and shall produce no change in the stipulations therein contained. In like manner, whatever conquests which, during this interval, shall have been made by the troops of either of the High Contracting Powers, must be restored without the least delay.

Amnesty. Liberty of respective Subjects to dispose of their Landed Property.

ART. XIII. The High Contracting Powers, upon re-establish-

* See page 828.

ing between themselves the relations of a sincere friendship, grant a general pardon and a full and complete Amnesty to all such of their subjects, of whatever condition they may be, who, during the continuance of the War now happily terminated, shall have taken part in the military operations, or have shown, either by their conduct or their opinions, their attachment to one or other of two Contracting Powers. In consequence whereof, none of these individuals shall be molested or prosecuted, either in person or property, on account of their past conduct, and each of them, recovering the landed property which he before possessed, shall have the peaceable enjoyment of the same, under the protection of the laws, or else shall be at liberty to dispose thereof within the space of 18 months, in order to transfer himself, together with his family and his movable property, into any country which he may select; and this without undergoing any molestation, or being opposed by any obstacle whatsoever.

Power of respective Subjects of Ceded Countries to dispose of their Landed Property and to Reside in either Country.

There shall, moreover, be granted to the respective subjects, established in the Countries restored to the Sublime Porte, or ceded to the Imperial Court of Russia, the same term of 18 months, to be reckoned from the exchange of the Ratifications of the present Treaty of Peace, for the purpose, should they think fit so to do, of disposing of their Landed Property, acquired either before or since the War; and of retiring with their assets and their movable Property from the States of one of the Contracting Powers into those of the others, and reciprocally.

Restoration of Prisoners. Exception in favour of Christians who have become Mahometans, and Mahometans who have become Christians.

Art. XIV. All the Prisoners of War, of whatsoever nation, condition, and sex they may be, who are in the two Empires, must, immediately after the exchange of the Ratifications of the present Treaty of Peace, be delivered up and restored without the least ransom or payment. Exception is made in favour of the Christians who, of their own free will, have embraced the Mahometan religion, in the States of the Sublime Porte, and of the Mahometans, who in like manner, of their own free will, have embraced the Christian religion in the States of the Empire of Russia

Prisoners taken after conclusion of Peace to be Restored.

The same shall be observed with respect to the Russian subjects, who, after the signing of the present Treaty of Peace, may have, in any manner, fallen into captivity, and who are in the States of the Sublime Porte. The Imperial Court of Russia promises, on its part, to act in the same manner towards the subjects of the Sublime Porte.

Expenses of Prisoners of War not to be reimbursed.

No reimbursement of the sums which have been expended by the High Contracting Powers for the maintenance of the Prisoners of War, shall be required. Each of them shall provide all that is necessary for them during their journey to the frontier, where they will be exchanged by Commissioners appointed respectively.

Confirmation of Treaties.

ART. XV. All the Treaties, Conventions, and Stipulations, entered into and concluded at different epochs, between the Imperial Court of Russia and the Sublime Ottoman Porte, excepting the Articles which have been modified or changed by the present Treaty of Peace, are confirmed in all their force and integrity, and the two High Contracting Powers engage to observe them religiously and inviolably.

Ratifications.

ART. XVI. The present Treaty of Peace shall be ratified by the two High Contracting Powers, and the exchange of the Ratifications between the respective Plenipotentiaries shall be effected within the space of six weeks, or sooner if possible.

The present Document of Peace, containing 16 Articles, and which shall be completed by the exchange of the respective Ratifications, has been, in virtue of our Full Powers, signed and sealed by us, and exchanged against a similar one, signed by the undermentioned Plenipotentiaries of the Sublime Ottoman Porte, and sealed with their Seals.

Done at Adrianople, the $\frac{2nd}{14th}$ September, 1829.

(L.S.) SADIK EFFENDI.
(L.S.) ABDOUL KADIR BEY.
(L.S.) COUNT ALEXIS ORLOFF.
(L.S.) COUNT F. PAHLEN.

(Translation as laid before Parliament.*)

Separate Acts annexed to the Treaty signed at Adrianople, 14th September, 1829.

Separate Act (1) *relative to the Principalities of Moldavia and Wallachia.*†

Hospodars to be Elected for Life.

In the Name of Almighty God.

The two High Contracting Powers, at the same time that they confirm all that has been stipulated by the Separate Act of the Convention of Ackermann, relative to the mode of electing the Hospodars of Moldavia and Wallachia, have been convinced of the necessity of imparting to the Government of those Provinces a basis more stable and better adapted to the real interests of the two countries. For this purpose it has been definitively agreed upon and determined, that the duration of the government of the Hospodars should no longer be limited to 7 years, as heretofore, but that they should henceforth be invested with that dignity for life, excepting in cases of voluntary abdication, or of deprivation by reason of criminality, foreseen by the said Separate Act.

Powers of Hospodars.

The Hospodars shall have full liberty in the management of the internal affairs of their provinces, after consulting their respective Divans, without, however, the power of injuring in any degree the rights guaranteed to the two countries by Treaties or Hatti-sheriffs, and they shall not be disturbed in their internal administration by any order contrary to those rights.

Non-interference by Turkish Authorities in Adjoining Provinces to Interfere in Affairs of Moldavia and Wallachia.

The Sublime Porte promises and engages to take especial care that the privileges granted to Moldavia and Wallachia, be not in any manner infringed upon by its officers commanding in the adjoining provinces, and not to allow any interference on their part in the affairs of the two provinces, as well as to prevent all inroads of the inhabitants of the right bank of the Danube upon the Wallachian or Moldavian territory.

* For French Version, see "State Papers," vol. xvi, p. 654.

† Altered by General Treaty of 30th March, 1856, Art. xxii; and Convention of 19th August, 1858.

Boundary of Principalities.

All the Islands belonging to the left bank of the Danube shall be considered as forming an integral part of this territory, and the stream (Thalweg) of this River shall form the Boundary of the two Principalities, from its entrance into the Ottoman States as far as its confluence with the Pruth.

Porte not to retain any Fortified Point, or allow any Establishment by Mussulman Subjects on Left Bank of the Danube.

For the better securing the inviolability of the Moldavian and Wallachian territory, the Sublime Porte engages not to retain any Fortified Point, nor to allow any establishment whatsoever of its Mussulman subjects on the left bank of the Danube. In consequence whereof it is permanently ordained, that upon the whole of that bank in Great and Little Wallachia, as well as in Moldavia, no Mussulman can ever establish his residence, and that the only Mahometans who can be admitted therein are merchants provided with firmans, whose object in repairing thither is to purchase, on their own account in the Principalities, the goods necessary for the consumption of Constantinople, or other articles.

Turkish Towns on Left Bank of the Danube to be Restored to Wallachia. Mussulmans to Sell their Landed Estates.

The Turkish towns situated upon the left bank of the Danube shall, as well as their territories (Rayahs), be restored to Wallachia, in order to be henceforward united to that Principality, and the fortifications heretofore standing upon that bank can never be rebuilt. Such Mussulmans as possess landed estates not unjustly obtained from private individuals, whether situated in these same towns, or upon any other point of the left bank of the Danube shall be required to sell them to natives within the space of 18 months.

Quarantine Establishment. Militia for Security of Frontier, &c.

The Government of the two Principalities, possessing all the privileges of an independent internal administration, is at liberty to establish Sanitary cordons and Quarantines along the course of the Danube, and elsewhere in the country where they shall be needed, without the strangers who arrive there, as well Mussulmans as Christians, being allowed to exempt themselves from the exact observance of the Sanitary Regulations. For the Quarantine

service, as well as for watching over the security of the Frontiers, for the maintenance of good order in the towns and country places, and for the execution of the laws and regulations, the Government of each Principality may keep in pay such a number of armed guards as shall be strictly necessary for these different duties. The number and maintenance of this Militia shall be regulated by the Hospodars, in concert with their respective Divans, the examples of former times forming the bases of these arrangements.

Principalities freed from furnishing Supplies for Constantinople, &c., or provide Workmen for erection of Fortresses, &c. Indemnity to Porte for relinquishing Rights. Sum to be paid on each Appointment of Hospodars.

The Sublime Porte, animated by the sincere desire of insuring to the two Principalities all the welfare of which they are susceptible, and being informed of the abuses and annoyances to which they were subjected on account of the supplies required for the consumption of Constantinople, the provisioning of the Fortresses situated upon the Danube, and the requisitions of the Arsenal, fully and entirely relinquishes in their favour its right in this respect. Wallachia and Moldavia shall, in consequence, be for ever dispensed from furnishing grains and other commodities, sheep, and building timber, all of which they were formerly required to supply. In like manner, these provinces shall never be compelled, under any circumstances, to provide Workmen for the erection of Fortresses, nor for any other Public Works of whatever kind. But in order to indemnify the Imperial Treasury for the losses which this total cession of its rights might cause it, independently of the annual Tribute which the two Principalities are bound to pay to the Sublime Porte, under the denominations of "haratch," "idige," and "kekiabiye" (according to the tenor of the Hatti-sheriffs of 1802), Moldavia and Wallachia shall each pay annually to the Sublime Porte, by way of compensation, a sum of money, the amount of which shall be determined hereafter by common consent. Besides which, at each reappointment of the Hospodars, whether in consequence of decease, abdication, or legal deprivation by the titularies, the Principality in which the circumstance shall have taken place shall be bound to pay to the Sublime Porte a sum equivalent to the annual Tribute of the province as fixed by the Hatti-sheriffs. With the

exception of these sums, there shall never be exacted from the country, nor from the Hospodars, any other Tribute, contribution, or gift, under any pretext whatsoever.

Liberty of Trade to Inhabitants of Principalities, and Freedom of Navigation of the Danube.

By virtue of the abolishment of the supplies above mentioned, the inhabitants of the two Principalities shall enjoy the full liberty of Trade for all the productions of their soil and of their industry, stipulated by the Separate Act of the Convention of Ackermann, without any restrictions save those which the Hospodars, in concert with their respective Divans, may consider it expedient to establish, in order to insure the supply of provisions for the country. They may freely navigate the Danube with their own ships, provided with Passports from their Government, and carry on trade in the other towns or ports of the Sublime Porte, without being molested by the collectors of the "haratch," or being exposed to any other annoyance.

Exemption from Taxes for Two Years.

Moreover, the Sublime Porte, considering all the calamities which Moldavia and Wallachia have had to undergo, and moved by an especial sentiment of benevolence, consents to exempt the inhabitants of these provinces for the space of two years, reckoning from the day in which the Principalities shall have been entirely evacuated by the Russian troops, from the payment of the annual Taxes paid into its treasury.

Confirmation of Administrative Regulations by the Porte.

Lastly, the Sublime Porte, desirous of securing, by every means, the future prosperity of the two Principalities, solemnly promises to confirm the administrative regulations which, during the occupation of these two provinces by the armies of the Imperial Court, have been made in consequence of the wish expressed by the assemblies of the most influential inhabitants of the country, and which shall, in future, serve as bases for the internal government of the two provinces, with the full understanding, however, that the said regulations shall in no way compromise the rights of sovereignty of the Sublime Porte.

In consequence whereof we, the Undersigned, Plenipotentiaries of His Majesty the Emperor and Padishah of All the Russias, in

concert with the Plenipotentiaries of the Sublime Ottoman Porte, have agreed upon and determined with respect to Moldavia and Wallachia the above dispositions, which are the sequel of Article V of the Treaty of Peace concluded at Adrianople between ourselves and the Ottoman Plenipotentiaries. In pursuance of which the present Separate Act has been drawn up, subscribed by us, sealed with our seals, and delivered into the hands of the Plenipotentiaries of the Sublime Porte.

Done at Adrianople, the $\frac{2}{14}$th September, 1829.

(L.S.) COUNT ALEXIS ORLOFF.
(L.S.) COUNT F. PAHLEN.
(L.S.) SADIK EFFENDI.
(L.S.) ABDOUL KADIR BEY.

SEPARATE ACT (2) *relative to Indemnifications for Losses in Trade, War Expenses, and Expenses attending the Evacuation.*

(Translation as laid before Parliament.*)

In the Name of Almighty God.

As the Peace so happily concluded between the Imperial Court of Russia and the Sublime Ottoman Porte must be maintained perpetually between the two High Empires, it has been judged necessary, for the purpose of preventing every possible subject of dispute in future, to regulate, by a Separate Act, all that relates to the Indemnification for Losses in Trade, to those for the War Expenses, and to the Evacuation, by means of the following Articles:—

Demolition of Fortress of Giurgevo.

ART. I. In one of the paragraphs of the Separate Act relative to the Principalities of Moldavia and Wallachia, and annexed to Article V of the Treaty of Peace, it is stipulated that "the Turkish towns situated upon the left bank of the Danube shall, as well as their territories (Rayahs), be restored to Wallachia, in order to be henceforward united to that Principality, and that the Fortifications heretofore standing upon that bank can never be rebuilt," &c.

In consequence of this stipulation, the Fortress of Giurgevo, which is still occupied by the troops of the Sublime Porte, must be evacuated and delivered up to the Russian troops, and its

* For French Version see "State Papers," vol. xvi, p. 657.

fortifications demolished. This evacuation shall be effected within the space of fifteen days after the signing of the Treaty of Peace. The Turkish troops shall retire to Rustchuk, taking with them all the artillery, ammunition, their property and effects. In like manner the Mussulman inhabitants shall be equally empowered to carry away with them their property and goods.

Indemnity due to Russia.

ART. II. By Article VIII of the Treaty of Peace, it is stipulated that "the Sublime Porte, by way of reparation for the losses and injuries suffered by Russian subjects and merchants at various times since the year 1806; shall pay to the Imperial Court of Russia, within the course of 18 months, at periods which shall be assigned further down, the sum of 1,500,000 ducats of Holland."

Periods of Payment of Indemnity.

In consequence of this stipulation it is agreed, that upon the exchange of the Ratifications of the Treaty of Peace, the Ottoman Porte shall pay 100,000 ducats; that within the term of six months after the exchange of the Ratifications, it shall pay 400,000 ducats; that in the six months following it shall pay 500,000 ducats; and lastly, that in the other six months it shall pay the remaining 500,000 ducats, which will complete the entire payment of the said sum of 1,500,000 ducats, within the term of 18 months.

Indemnity to be paid to Russia.

ART. III. It is stipulated in Article IX of the Treaty of Peace that "the Sublime Porte engages to pay to the Imperial Court of Russia, by way of Indemnification for the expenses of the War, a sum of money, the amount of which shall be fixed by mutual agreement."

In consequence of this stipulation, it is agreed and determined that the said Indemnity shall be fixed at 10,000,000 of ducats of Holland, and the Sublime Porte promises to pay the said sum of money according to the mode of payment which shall be determined by His Majesty the Emperor of All the Russias, relying, as the Sublime Porte does, upon his generosity and magnanimity.

Moreover, in order to alleviate, as much as possible, the onus of this payment in specie, and to allow every facility necessary for that purpose, it is agreed that the Imperial Court of

Russia shall consent to receive on account of the sum above mentioned compensations in kind, in articles which shall, by mutual consent, be considered as receivable in part payment of the said Indemnity.

Russian Evacuation of Turkish Territory.

ART. IV. It is stipulated in Article XI of the Treaty of Peace that "the Imperial Court of Russia will proceed to the Evacuation of the territory of the Ottoman Empire, conformably to the principles established by a Separate Act which shall form an integral part of the Treaty of Peace."

In consequence of this stipulation it is agreed and determined, that as soon as the 100,000 ducats, in part payment of the stipulated indemnity for the losses of Russian subjects and merchants shall have been paid in the manner agreed upon above in Article II of the present Separate Act; that as soon as Article VI of the Treaty of Peace relative to Servia shall have been completely executed; and that the Evacuation and delivery up of Giurgevo to the Russian troops shall have been effected in the manner specified above in Article I of the present Act, then and within the term of one month after the exchange of the Ratifications of the Treaty of Peace, the Russian army shall evacuate the city of Adrianople, Kirk-Klissa, Lulé-Bougas, Midiah, and Iniada, and other places, which shall be immediately given up to the authorities empowered by the Ottoman Porte to receive them. Immediately after the payment of the 400,000 ducats of the said Indemnity for the losses of Russian subjects and merchants shall have been exactly effected, that is to say, six months after the exchange of the Ratifications, the Russian troops shall evacuate, within the space of one month, the whole extent of the country from the Balkan as far as the sea and the Gulf of Bourgas, so that all the cities, towns, and villages shall be delivered up to the authorities empowered by the Ottoman Porte to receive them, and the Russian troops shall retire and pass over on the other side of the Balkan into Bulgaria and the country of Dobridzia.

When the payment of the 500,000 ducats of the said Indemnity for the losses of Russian subjects and merchants shall have been effected in the manner above specified, in the space of the other six months, then the Russian troops shall entirely evacuate and deliver up to the authorities of the Porte the whole of Bulgaria and the country of Dobridzia, with all the cities, towns, and

villages therein comprised, from the Danube as far as the Black Sea.

The other remaining 500,000 ducats shall be paid within the term of other six months, that is to say, eighteen months after the exchange of the Ratifications. And as to the evacuation above mentioned, the town of Silistria and the provinces of Wallachia and Moldavia shall be exempted from it, and shall be kept as a security by the Imperial Court of Russia until the entire discharge of the sum which the Ottoman Porte has engaged itself to pay as an indemnification for the war expenses, as has been stipulated in Article III of the present Act; so that immediately upon the full payment of the above sum Moldavia, Wallachia, and the town of Silistria shall be evacuated within two months by the Russian troops, and be formally given up to the authorities of the Ottoman Porte.

With respect to the Evacuation by the Russian troops of the countries which, on the Asiatic side, are to be restored to the Ottoman Porte conformably to Article IV of the Treaty of Peace, it is agreed that this Evacuation shall commence three months after the exchange of the Ratifications, and this shall be done by virtue of a particular Convention, which the General-in-Chief, Count Paskewitch d'Erivan, shall conclude with the Commanders of the Ottoman Porte in those countries, in such manner, however, that the entire evacuation of the countries restored to the Ottoman Empire may be effected within the term of 8 months after the exchange of the Ratifications.

In consequence whereof the present Explanatory Act, consisting of 4 Articles, has been drawn up, signed by us, sealed with our seals, and delivered into the hands of the Plenipotentiaries of the Sublime Porte, and the Ratifications of the same shall be exchanged, together with those of the Treaty of Peace, of which it forms an integral part.

Done at Adrianople, the $\frac{2nd}{14th}$ September, 1829.

(L.S.) COUNT ALEXIS ORLOFF.
(L.S.) COUNT F. PAHLEN.
(L.S.) SADIK EFFENDI.
(L.S.) ABDOUL KADIR BEY.

By virtue of supreme Full Powers, I accept and confirm the conditions contained in the preceding Treaty and Separate Acts.

COUNT J. DIEBITSCH ZABALKANSKY.

No. 146.—*HATTI-SHERIFF issued by the Sublime Porte to Servia. Constantinople, 1st October, 1829.**

TABLE.

Freedom of Trade in Turkey. Erection of Hospitals, &c. Prohibition to Mussulmans or Turks to Reside in Servia. Administration of Fiefs and Turkish Estates. Liberty of Worship. Election of Chiefs. Internal Administration. Reunion of Detached Provinces. Consolidation of Tribute.

(Translation as laid before Parliament.†)

To our intelligent and wise Vizier, &c., &c., Hossein Pasha, Governor of Belgrade, &c., &c., and to the eminent and learned Kadi, the upright and virtuous Judge of Belgrade, &c., &c.

ON the arrival of this Imperial mandate, it may be known to you that in Article V of the Treaty concluded at Ackermann (**No. 131**), between our Sublime Porte and the Court of Russia, it was agreed that, whether in conformity with her friendly intentions, or in accordance with the Articles of the Treaty of Bucharest,‡ the Sublime Porte, in proof of her consideration and attention towards Russia, would complete and manifest her mercy and philanthropy for her subjects, who formerly paid her the capitation taxes. Thus, in order amply to remunerate the Servian nation for the firm submission and fidelity which they have always shown to the Ottoman Throne, the Sublime Porte has deemed it proper to fulfil now all the promises and provisions contained in Article VIII of the said Treaty of Bucharest, in favour and for the benefit of the Servian nation and country, and to communicate with the Servian deputies now at Constantinople upon the method and arrangement of the accomplishment and execution of those points, which were necessarily postponed for a period of 18 months for further consideration and investigation; and, as in accordance with the tenor of a Separate Agreement, these points, after conferring with the said Servian Deputies, have been brought to a Final Arrangement and method, it became necessary that an Imperial Firman,

* See Note, page 842.

† For French Version, see "State Papers," vol. xxiii, p. 949.

‡ (16th May, 1812.) See Appendix.

detailing and specifying those points and provisions, should be issued from our Imperial Divan, without delay, and be made public and known to the Court of Russia. We, therefore, in fulfilment of the said Article VIII of the Treaty of Bucharest, as well as of the contents of the before-mentioned Separate Agreement, have given our Imperial permission to the said Servian Deputies to represent to us the wishes and claims of their nation, and we have likewise decreed, and given leave to these Deputies, that the Servians might freely exercise in their country their mode of Worship, and follow their own Religion; that they might elect their own Chiefs from amongst themselves; that the administration of the Internal Affairs of their country might be under their own authority; that the Detached Provinces of Servia might be added and united to it; that the different kind of Taxes, Revenues, and Capitation Duties might be all consolidated and fixed into one sum; as also the direction or administration of Fiefs out of the Estates and Property belonging to the Turks, might be left to the management of the Servians; that, for the sake of free trade, they might have the liberty and permission, with their own Passports in hand, to pass and go through the dominions of the Sublime Porte as Servian merchants; that they might erect and build Hospitals, Schools, and Printing offices in their own country; and, lastly, the Mussulmans or Turks, except those who are to guard the castles, should be prohibited to reside in Servia.

Similar other points, connected with the tranquillity and benefit of Servia, had been petitioned for by the Servian nation before now, from the Sublime Porte, but which points, owing to some circumstances as to their arrangement and regulation, have been left as they were. The Sublime Porte, however, in accordance with the good intentions expressed by her, in Article VIII of the Treaty of Bucharest, for the advantage and assistance of the Servians, had decided that all the said points, which they have demanded, might be granted to them, after being discussed with the Servian Deputies now at Constantinople, and brought under an arrangement, without infringing upon the rules of loyalty, as a reward, out of our mercy and generosity, for the fidelity and submission which they have always shown to us; and thus the fulfilment of the said Article VIII might be proved, on our part, to the Court of Russia. But while an Imperial Firman was on the point of being issued, with our Royal Signet, to this effect, and some Commissioner being appointed on our part to confer with

the Servian Deputies, unforeseen hostile Differences appeared (between the Porte and Russia), and consequently the said conference remained unfinished.

As now, however, in the Treaty newly concluded with Russia at Adrianople, it was agreed in Article VI, that the fulfilment of the Separate Convention concerning Servia, which took place previous to Article V of the Treaty of Ackermann, should be executed without delay, and the 6 Districts* which are detached from Servia should be immediately added and united to it, the Sublime Porte does now accordingly engage herself for, and promise the accomplishment thereof, for the sake of the happiness and tranquillity of her faithful and obedient subjects, the Servian nation.

For this purpose, this Imperial mandate, with our Royal Signet, has been issued to you, our Vizier and Kadi, for your instruction and guidance, and that you may make it publicly known and explained to my subjects, the Servian nation, and act, with care and attention, according to its noble contents.

Issued from our Imperial Divan, the beginning of Rebi-ul-Akhir, 1245, A. H. (About the 1st of October, 1829.)

* Kraina, including Klioute; Tzerna-Jeka with Gourgouchevatz; Barvia, with Sverlic; Alexinitza, with Rosnia and Paroquina; Kruchevatz, known as Allaja-Hissar; a part of the Stari-Vla (Old Wallachia), with part of the District of Novi-Pavar, known by the name of Berveme; and the Districts of Drina, formed of Jadra and Radgevena. See Firman of the Sultan of December, 1833.

No. 147.—*MANIFESTO of the Emperor of Russia on the conclusion of Peace with Turkey.* 1*st October,* 1829.

(Translation.*)

By the Grace of God, We, Nicholas First, Emperor and Autocrat of All the Russias, &c.

Thanks to the Decrees of Divine Providence, the Treaty of Perpetual Peace between Russia and the Ottoman Porte has been concluded and signed at Adrianople on the $\frac{2nd}{14th}$ September (**No. 145**), by the respective Plenipotentiaries of the two Empires.

The whole world knows full well the irresistible necessity which alone could compel us to have recourse to arms. In that legitimate War, undertaken for the defence of the rights of our Empire, our faithful subjects, always animated by an ardent devotion to the Throne and country, hastened to place at our disposal the tribute of their goods, to support us by all their efforts; and God has blessed our cause.

Our heroic warriors have given in Europe and in Asia, by sea and by land, new proofs of their heroic courage. They have triumphed both over obstacles created by nature, and the desperate resistance of the enemy; rushing forward from victory to victory, they passed the chain of the Saganlouk mountains, they saw beneath them the summit of the Balkans, and only stopped at the very gates of Constantinople. Formidable only to the armed enemy, they were, towards the peaceable inhabitants, full of clemency, humanity, and gentleness.

In those days of battles and glory, always strangers to any desire of conquest, to all views of aggrandisement, we never ceased to invite the Porte to concur in the re-establishment of good harmony between the two Empires. The chiefs of our armies, after every victory, hastened, in compliance with our orders, to offer peace and friendship. Our efforts were, nevertheless, always fruitless; it was only on seeing our standards floating close to his capital, that the Sultan at last saw, by our conduct, that our object was not to upset his Throne, but to obtain the fulfilment of Treaties. Convinced from that moment of the purity

* For French version, see "State Papers," vol. xvi, p. 904.

of our motives, he stretched out his hand to receive the Peace which had been so often proposed to him.

To Russia that Peace promises happy and prosperous results; the blood of her warriors is bought by numerous advantages; the passage of the Dardanelles and the Bosphorus is henceforth free and open to the commerce of all the nations of the world; the security of our Frontiers, especially on the side of Asia, is for ever guaranteed by the incorporation to the Empire of the Fortresses of Anapa, Poti, Akhaltzik, Atzkour, and Akhalkalaki; our former Treaties with Turkey are confirmed and re-established in all their vigour; just Indemnities are secured for the expenses of the War, and the individual losses sustained by our subjects; the scourge of the plague, which has so often threatened the southern countries of Russia, will in future be restricted by a double barrier, by the establishment, agreed upon by both parties, of a line of Quarantine on the borders of the Danube. Our solicitude was also extended over the fate of the co-religionist peoples subject to the Ottoman dominion; the ancient privileges of the Principalities of Moldavia and Wallachia have been sanctioned, and their well-being has been consolidated by new advantages; the rights granted to Servians by the Treaty of Bucharest* and confirmed by the Convention of Ackermann (**No. 131**), were still suspended in their application; those stipulations will henceforth be faithfully fulfilled. The political existence of Greece, such as it has been determined by Russia, in concert with the Allied Courts of Great Britain and France, has been formally acceded to by the Ottoman Porte. (**No. 144**).

Such are the fundamental bases of a Peace which has happily terminated a bloody and obstinate War.

In making known to all our well-beloved subjects this happy event, a new gift from the blessings of Heaven accorded to Russia, we address with them fervent thanksgivings to the Most High, who has deigned to raise, by His Divine Decrees, our dear country to so high a degree of glory. May the fruits of that Peace develop themselves, and multiply more and more for the benefit of our faithful subjects whose well-being will always be the first object of our constant solicitude.

Given at St. Petersburgh, the $\frac{\text{19th September}}{\text{1st October}}$, 1829, of our reign the 4th.

NICOLAS.

* See Appendix.

No. 148.—*BOUNDARY CONVENTION between France and Prussia. Signed at Sarrebruck, 23rd October, 1829.*

ART. TABLE.

Preamble. Reference to Treaty of 20th November, 1815; and Declaration of 11th June, 1827.
1. Tracing of disputed Boundary, and exchange of Territory.
2. No claims whatever to be made on ceded Territories.
3. The Bed of Rivers and Rivulets to serve as Boundaries. All Building prohibited unless of common interest, and undertaken by common consent.
4. All Roads forming the Line of Boundary to be enjoyed in common.
5. No buildings to be constructed along the Frontier at a less distance than 30 feet.
6. } Privileges to owners of Property on both sides of the Frontier.
7. }
8. Goods, &c., belonging to Communes and Public Establishments.
9. Payment of Communal Administration of divided Mayoralties.
10. Judicial and Administrative Acts of ceded Territories to be respected.
11. Rights of Bordering Communes.
12. Fishery Rights on the *Sarre* and the *Blies*.
13. Freedom of Passage through either country, Military and Military Stores excepted.
14. Delivery of Titles, Documents, &c., belonging to ceded Territories.
15. Liberty to Inhabitants to dispose of their Property and choose their residence.
16. Soldiers to be restored immediately after Ratification of Treaty.
17. Delegates to proceed to Demarcation of Frontier.
18. Delegates to propose any changes which they may consider necessary.
19. Ratifications.

(Translation.*)

Reference to Treaty of 20th November, 1815; and Declaration of 11th June, 1827.

THE Commissioners appointed in virtue of paragraph 6 of Article I of the Treaty of Paris of 20th November, 1815 (**No. 40**), namely:

On the part of His Majesty the King of France and Navarre, the Sieur Etienne Nicolas Rousseau, Colonel of the Royal Corps of Geographical Engineers, &c.; and on the part of His Majesty the King of Prussia, the Sieur Henri Delius, Chief President of the Council of Regency of Cologne, &c.

* For French version, see "State Papers," vol. xvi, p. 907.

After having respectively, and in due form, communicated their Full Powers, after having acknowledged that the Declaration signed and exchanged on the 11th June, 1827 (**No. 135**), by which their respective Governments agreed to terminate the differences which had arisen relative to the District of Leyden, had been fulfilled in so far as relates to Article III of that Declaration, after having also acknowledged that the *Procès-Verbal* drawn up at Sarrebruck, on the 20th February, 1821, by their Delegates, with the view of fixing the geometrical position of the places having suburbs, with reference to the Line which, in execution of the Treaty of 20th November, 1815 (**No. 40**), is to be drawn from Perl to Houve, was to serve as a basis for tracing the boundary along that Line; the Commissioners, adopting the arrangements and projects of exchange settled by the same Delegates, and inserted in the *Procès-Verbal*, have agreed upon the following Articles:—

Arts. I to XIX. (See Table.)

Done at Sarrebruck, 23rd October, 1829.

(L.S.) ROUSSEAU.
(L.S.) HENRI DELIUS.

List and Names of Villages, Hamlets, and Dependencies, the Territories of which join the New Limits determined upon by the Definitive Convention of the 23rd October, 1829, between France and Prussia.

On the Side of France.	*On the Side of Prussia.*
Apach, annex of Kirsch-lès-Sierck.	Perl and Ober-Perl.
	Pellingen.
Merschweiller, with the annexes of Belmacher, Kinzing, and Nauendorf.	Borg.
	Efft.
	Büschdorf.
Mandern.	Scheuerwald, northern part of its Territory.
Tinting and Menzburg.	
Scheuerwald, and the southern part of its Territory.	Wehingen.
	Wellingen.
Ritzing, annex to Launsdorf.	Büdingen and the ceded portion of Waldwies.
Launsdorf.	
Flatten, annex to Launsdorf.	Silvingen.

[Boundaries.]

On the side of France.	*On the side of Prussia.*
Gongelfang, annex to Waldwies.	Bieringen.
Waldwies.	Oberesch.
Zeuring, annex to Grünsdorf.	Diesdorf.
Burgesch, annex to Schwerdorf.	Fuhrweiler.
Cottendorf (*idem*).	Groshemmersdorf.
Otzweiler (*idem*).	Kœrperich-Hemmersdorf.
Schwerdorf.	Nied-Altdorf.
Neunkirchen, annex to Schwerdorf.	Ihn, or Lognon, and the northern part of its Territory.
Remeldorf.	The ceded portion of Heiningen.
Niedwelling and Gerstling.	Leidingen and the northern portion of its Territory.
The ceded portion of Ihn, or Lognon.	Bedersdorf.
Heining.	Ittersdorf.
The ceded portion of Leiding.	Berus and Saint-Oraine.
Schreckling.	Ueberherrn.
Willing.	The Farm of Warent and the Warentwald.
Berweiler.	The Woods of Lauterbach.
Merten and Bibling.	Lauterbach.
La Houve and the Farm of Wendelhof (Kreutzwald).	Karlsbrunn.
La Croix (*idem*).	Saint-Nicolas.
Wilhelmsbrunn (*idem*).	Nassweiler.
The Hospital of Carling.	Emmersweiler and the Windmill of Gensbach.
Freimeng and Sainte-Fontaine.	Grand or Grosrosseln.
Merlebach.	Ludweiler.
Cocheren and Ditschweiler.	Geislautern.
Rossbruck.	Fürstenhausen.
Morsbach and Gensbach.	Klarenthal.
Forbach, western side.	Krüghütte.
Petite Roselle and Vieille Verrerie.	Ziegelhof.
Forbach, with Schœneck, the Glass Foundry of Sophie, the Farm of Styring and dependencies.	Gersweiler.
	The Town and Territory of Sarrebruck.
Spichern.	Saint-Arneval.
Alzing and Zinzing.	Güdingen.
	Saar-Bübingen.
	Kleinblittersdorf.
	Auersmacher.

[Boundaries.]

On the side of France.	*On the side of Prussia.*
Grosblittersdorf and the Windmill of Sembach.	Rilchingen.
Wilfrieding.	Hanweiler.
Sarreguemines.	The Farm of Wintringen.
Neunkirchen.	The Windmill of Gersweiler.
Bliesgersweiler.	Bliesransbach.
Bliesschweyen (last)	The Windmill Urichsmühle (last).

Stanfords, Geogl Estabt 55, Charing Cross.

MAP

Boundary Convention

FRANCE & PRUSSIA

1829

No. 149.—*PROTOCOL of Conference between Great Britain, France, and Russia, relative to the Independence of Greece. London, 3rd of February, 1830.**

[The following clauses of this Protocol were referred to in the Treaty of 7th May, 1832.]

(Extract.)

(Translation as laid before Parliament.†)

PRESENT: The Plenipotentiaries of Great Britain, France, and Russia.

Independence of Greece.

§ 1. Greece shall form an Independent State, and shall enjoy all the rights, political, administrative, and commercial, attached to complete Independence.

Form of Government.

§ 3. The Greek Government shall be Monarchical, and hereditary according to the order of primogeniture. It shall be confided to a Prince, who shall not be capable of being chosen from among those of the families reigning in the States that signed the Treaty of the 6th July, 1827‡ (**No. 136**), and who shall bear the title of Sovereign Prince of Greece. The choice of that Prince shall form the object of subsequent communications and stipulations.

Guarantee of 3 Powers.

§ 8. Each of the 3 Courts shall retain the power, secured to it by Article VI of the Treaty of the 6th July, 1827 (**No. 136**), of guaranteeing the whole of the foregoing arrangements and Articles. The Acts of Guarantee, if there be any, shall be drawn up separately; the operation and effects of these different Acts shall become, in conformity with the above-mentioned Article, the object of further stipulations on the part of the High Powers No troops belonging to one of the Contracting Powers shall be allowed to enter the territory of the new Greek State, without the consent of the two other Courts who signed the Treaty.

* See Treaties of 7th May, 1832; 30th April, 1833; 13th July and 14th November, 1863; and 29th March, 1864.

† For French version, see "State Papers," vol. xvii, p. 191.

‡ Great Britain, France, and Russia.

No. 150.—*FIRMAN of The Sultan of Turkey, relating to Servia. Constantinople, October*, 1830.*

TABLE.

Liberty of Worship. Hereditary Succession in Family of Milosch Obrenovitz. Reunion of Detached Districts. Kharatch Tax and other Contributions. Internal Administration. Freedom of Trade in Turkey. Customs Dues. Armed Force. Erection of Hospitals, &c. Prohibition to Mussulmans to remain in Servia. Administration of Justice. Sale of Landed Property of Turks in Servia. Turks not to Inhabit Servia. Maintenance of the Prince. Payment on Investiture of a New Prince. Confirmation of Metropolitan and Bishops by Patriarch of Constantinople. Members of the Councils. Establishment of a Post-office. Servian not to be compelled to serve a Turk. Demolition of Fortresses. Purchase of Cattle by the Porte. Servian Deputation at Constantinople.

(Translation as laid before Parliament.)

To our intelligent Vizier, &c., Hossein Pasha, Governor of Belgrade, &c.; to the eminent and learned Kadi, the upright and virtuous Judge of Belgrade, &c.

ON the arrival of this Imperial mandate, it may be known to you that, as the Treaty of Peace concluded at Adrianople (**No. 145**), between our Sublime Porte and the Court of Russia, refers to the execution of the Articles of the Convention made at Ackermann (**No. 131**), which enacts that there should be an understanding with the Servian Deputies at Constantinople, to settle their demands and claims; and as by my Imperial Decree, granted to the Servian nation, subject to my Sublime Porte, I have graciously complied with their demands; that is to say, the liberty of Worship; the Internal Administration; the reunion of Detached Districts; the consolidation of Tribute; the administration of Fiefs and Turkish Estates; the permission of travelling for trading through the whole Empire with their own Passports; the liberty of establishing Printing-offices, Hospitals, and Schools; the prohibition to the Turks (with the exception of those employed in the garrison of the fortresses) of inhabiting Servia; and likewise the liberty of seeking similar redress hereafter, so far as will not be contrary to the duties of a subject. And as the said nation, which has given to my Sublime Porte proofs of fidelity, is the

* See also Firman of December, 1833, and 24th December, 1838; the General Treaty of 30th March, 1856, Art. XXVIII; and Protocol of 4th September, 1862.

object of my solicitude and my Imperial mercy, I have resolved to give her another proof of my Imperial bounty and favour, and to regulate the said privileges in a manner becoming the duty of a subject and his welfare, which will insure to the Servian nation the inviolability and stability of these privileges.

In consequence, therefore, after having consulted with the Servian Deputies at Constantinople, I order and decree as follows:—

Liberty of Worship.

That the said nation shall exercise divine Worship in their churches with full liberty.

Hereditary Succession in Family of Milosch Obrenovitz.

That their present Prince, Milosch Obrenovitz, in recompense of his fidelity towards my Sublime Porte, and in accordance with the *Berat* which he possesses, will continue to be the Prince of the Servian nation, and this dignity will be hereditary in his family; he will continue, in the name of my Sublime Porte, to administer the internal affairs of the country, and to settle them in concert with the Council and assembly of the chiefs and elders of the nation.

Reunion of Detached Districts.

As for the 6 Districts* which the Servians claim as having been detached from their country, it has been agreed that Commissioners, appointed for that purpose, by my Sublime Porte and by the Russian Government, shall inquire into that question, in order to settle it hereafter as the case will require.

Kharatch Tax and other Contributions.

The *Kharatch* and all the other contributions will be definitively determined; the amount of the revenues of the Military Fiefs, of the Zaijms, and of the Timariotes, of the Sandjackat of Semendria (that of Nissa excepted, the administration of which will be given to the Servian Government), will be also valued, and added to the revenues of the Districts about to be united to Servia.

Internal Administration.

The authorities of my Sublime Porte will not interfere in any manner whatever, either in the Internal Administration or in the affairs of the country; and they shall not be allowed to exact a single para beyond the usual Tribute, as above stated, and which will be hereafter permanently fixed.

* See note, page 834.

Freedom of Trade in Turkey.

As it is my wish that the said nation should, under the protection of my Imperial power, participate in the benefit of Commerce, all the Servians who may be desirous to devote themselves to Commerce, shall receive from the authorities of my Sublime Porte, on showing the Passports of their Prince, the necessary *teskérés* to travel in my Empire, and to carry on Commerce as all the other subjects of my Sublime Porte; nobody shall dare to vex them, nor to require a single para as fee for the *teskérés*; but, on the contrary, every one shall grant them protection and help in case of need; and, with the exception of the duties of the Custom-house, no one shall ask from them either *Avaid* or *Jevad*, or any other Tax, contrary to the laws of the Empire; and great care must be taken that no one shall commit any vexation to subject him to punishment.

Customs Dues.

As with regard to the goods and merchandise which will pass through the Custom-house at Belgrade to be sent to Constantinople, they will continue, as formerly, to be sent there, provided with Servian *teskérés*, and will pay there the Custom-house duty.

Every 7 years, according to the prices of merchandises, the dues to be paid at the Custom-house, will be determined, and will be increased or diminished accordingly.

The revenue of the Custom-house duties which will be received on goods destined for any other place besides Constantinople, and which will pass through the Custom-house of Belgrade, will be added in one sum to the other contributions of the Servian nation, and deposited in our Imperial Treasury, through the medium of Prince Milosch.

Armed Force.

For the repression of any disorder which might arise in Servia, and for the security of the public peace in the interior of the country, as well as for the punishment of the offenders, Prince Milosch shall keep the necessary standing Armed Force.

Erection of Hospitals, &c.

The Servians shall have the right of establishing in their

country, Printing offices, Hospitals for their sick, and Schools for the education of their children.

Prohibition to Mussulmans to remain in Servia. Administration of Justice.

The *Mussellims* and the *Voivodes* shall no longer inhabit those places of Servia where there are no Fortresses; and the administration of Justice and the Jurisdiction of those places shall be entrusted, for the future, to the aforesaid Prince.

Sale of Landed Property of Turks in Servia. Turks not to Inhabit Servia.

The Turks who possess Landed Estates or Property in Servia, and who would be desirous to sell them and to quit that country, shall be allowed a period of 12 months to do so to the Servians, at a reasonable price, which will be determined by Commissioners appointed for that purpose. But the revenues of the vineyards, gardens, estates, and lands, belonging to the Turks unwilling to sell them, and to break off their connections with the country, shall be valued at a reasonable price, and paid into the treasury of Belgrade with the annual Tribute, and the said treasury will forward the money to the proper owners. No Turks, except those who garrison the Fortresses, shall be allowed to inhabit Servia.

Maintenance of the Prince.

The Servian nation shall pay to the said Prince the sum requisite for his maintenance and expenses, but this sum must not be an intolerable burden upon the poor.

Payment on Investiture of a New Prince.

In case the dignity of Prince should be vacant, the new Prince appointed to this dignity shall be obliged to pay out of his own revenue the sum of 100,000 piastres when he receives from my Sublime Porte the noble *Berat* of Investiture.

Confirmation of Metropolitan and Bishops by Patriarch of Constantinople.

The Metropolitan and the Bishops appointed to these dignities by the nation shall be confirmed by the Patriarch of Constantinople, without being obliged to come to Constantinople for that confirmation.

Members of the Councils.

As long as the chiefs and elders, members of the Council, of which mention has been made before, shall not render themselves guilty of any grave offence towards my Sublime Porte, and towards the laws and the constitution of the country, they shall not be dismissed, nor shall they be deprived of their offices, without cause, or without having committed some fault.

Establishment of a Post Office.

Should the Servian nation think proper, for their own interests, to establish a Post Office, they will meet with no obstacles from the authorities of my Sublime Porte.

Servian not to be compelled to Serve a Turk.

If a Servian should not wish willingly to enter the service of a Turk he shall not be compelled to do so.

Demolition of Fortresses.

With the exception of the Imperial Fortresses which anciently existed in Servia, all those that have been erected lately shall be demolished.

Purchase of Cattle by the Porte. Servian Deputation at Constantinople.

As Servia constitutes a part of my Empire (may it please God to maintain me in the whole possession of it!) there shall be no obstacle or impediment to the purchase of Cattle or other objects of consumption which my Sublime Porte may want to purchase in the said country for ready money, and there shall always be at Constantinople a Servian deputation for the management of the affairs of the Servian nation.

These are the points finally determined upon; and as my august Hatti-Sheriff has been issued for that purpose, this is my Imperial mandate, written and proclaimed.

Now you, Vizier, and you, *Mollah* of Belgrade, when you have read the noble contents of this Act, you will make it known to the said nation; and as long as they will duly appreciate the expressions of benevolence which are the result of my solicitude and Imperial mercy, and as long as they will remain in the bounds of fidelity and submission, they will not cease to be the object of my care and of my interest, and they will always be

under the shade of my Imperial protection in peace and safety; but they must do all in their power to fulfil their duties as faithful subjects, and to take great care not to do anything contrary to those duties.

Thus you may, after having promulgated the contents of this noble Firman, in the presence of the said nation, and after having registered it in the registers of the Mekkemé of Belgrade, give it to the said Prince, that he may keep it as he is in duty bound.

Issued from our Imperial Divan, the latter end of Rebi-ul-Akhir, 1246. (About the end of October, 1830.)

No. 151.—*CONVENTION between the Riverain States of the Rhine; and Regulations for the Navigation of that River.** *Signed at Mayence, 31st March, 1831.*

ART. TABLE.

Preamble. Navigation of the *Rhine* and the *Leck*. Reference to Vienna Congress Treaty of 9th June, 1815.

Title I.

1 to 8 On the Navigation of the *Rhine* in general, and the Reciprocal Arrangements and Concessions agreed upon between the High Contracting Parties.

9. Reciprocity in favour of *Netherland* Vessels. Merchandise changing transport by Water for transport by Land to be subject to ordinary Legislation.

10. Free Ports on the *Rhine*. Power to increase number of Free Ports. Duties on vessels and Merchandise passing through *Riverain States* by other Roads than the Rhine and its Tributary *Rivers*.

11. Privileges of *Riverain States* of the *Main*, the *Neckar*, &c. Declaration of French Commissioner.

12 13 General arrangements, &c.

Title II.

14 to 35 Duties of Navigation and the Means of ensuring their Collection.

Title III.

36 to 41 Application of Customs Laws of *Riverain States* to the Navigation of the *Rhine*.

Title IV.

42 to 47 Right of Navigation on the *Rhine*.

Title V.

48 to 52 Freightage and Registration.

Title VI.

53 to 70 Police Regulations for the Safety of Navigation and Commerce

Title VII.

71 to 80 Fraud on Duties of Navigation.

Title VIII.

81 to 88 Trial of Causes relating to the Navigation of the *Rhine*.

* Acceded to by Baden on the 26th November, 1835. See also Note, page 855.

[Navigation of the Rhine, &c.]

Title IX.

89 to 108 } Powers and Duties of the Central Commission, of the Chief Inspector, and of the other Officers of the Customs Navigation, and their Salaries.

Title X.

109. Execution of the preceding Regulations.

A. Table of Articles of Commerce which shall pay, on their Passage through the Territory of the *Netherlands*, from *Krimpen* or *Gorcum* to the open sea, a Higher or Lower Fixed Duty than that established by Article IV of the Convention.

B. Tariff of Duties of Verification payable at each Collecting Office, in Proportion to the Burthen of the Vessels navigating on the *Rhine*.

C. Tariff of Navigation Dues on the *Rhine*.

D. Manifests.

(Annex.) Protocol relative to the Second Paragraph of Article XI of the Treaty. Declaration of French Commissioner.

(Translation.*)

(Extract.)

Preamble. Navigation of the Rhine and the Leck. Reference to Vienna Congress Treaty of 9th June, 1815.

The completion of the Definitive Regulation for the Navigation of the Rhine, in accordance with the Stipulations of the Act of the Congress of Vienna (**No. 27**), having experienced difficulties arising out of the manner in which the Riverain Governments interpreted the general principles of that Act, to the vessels coming from Germany, and crossing the Netherlands in a direct line to the Open Sea, and *vice versâ;* considering that His Majesty the King of the Netherlands has maintained that his rights of Sovereignty extended without any restriction whatever over the Sea bathing his States, even where it mixes with the waters of the Rhine, and that, in accordance with the Conferences previous to the Act of the Congress of Vienna (**No. 30**), the Leck only was to be considered as the continuation of that River in the Netherlands; whilst His Majesty the King of Prussia, His Majesty the King of Bavaria, and His Royal Highness the Grand Duke of Hesse, have maintained that the Act of the Congress of Vienna (**No. 27**) had placed certain restrictions on the exercise of those rights, in so far as they might apply to vessels passing from the Rhine into the Sea, and *vice versâ;* and that under the denomination of the Rhine the said Act included the whole course, also the branches, and all the mouths of that River in the Netherlands,

* For French Version, see "State Papers," vol. xviii, p. 1076.

without any distinction—views in which His Majesty the King of the French, and His Royal Highness the Grand Duke of Baden now equally concur; the Riverain States have thought proper to leave intact all questions mooted on the general principles of the Act of the Congress of Vienna bearing upon the Navigation of the Rhine, as well as the inferences which might be drawn therefrom, and to concert measures and Regulations which the Navigation of the Rhine can no longer dispense with, on the basis of joint proposals reciprocally made and accepted, under the express reservation nevertheless, that such understanding shall in no wise be prejudicial to the rights and principles maintained on either side.

With that view the undermentioned High Contracting Parties have appointed as their Commissioners, namely:

His Royal Highness the Grand Duke of Baden, the Sieur Jean Lambert Büchler, his Councillor of Legation, &c.;

His Majesty the King of Bavaria, the Sieur Bernard Sebastien de Nau, his intimate Aulic Councillor, &c.;

His Majesty the King of the French, the Sieur Hubert Engelhardt, his Commissioner;

His Royal Highness the Grand Duke of Hesse and on the Rhine, the Sieur George Charles August Verdier, his Councillor of Regency;

His Serene Highness the Duke of Nassau, the Sieur Louis de Rössler, his intimate Councillor and Director-General of Customs, &c.;

His Majesty the King of the Netherlands, the Sieur Jean Bourcourd, his Councillor of State, &c.;

His Majesty the King of Prussia, the Sieur Henry Delius, his President-in-Chief of Regency, &c.;

Who, after having exchanged their Powers found to be in good and due form, have agreed upon the following Articles:—

TITLE I. (Articles I to XIII.)—*On the Navigation of the Rhine in General, and the Reciprocal Arrangements and Concessions agreed upon between the High Contracting Parties.*

Reciprocity in favour of Netherland Vessels.

ART. IX. As a Reciprocity for the favorable stipulations contained in the preceding Articles, the High Governments of the Riverain States engage to extend, in favour of Netherland Vessels, the general exemption from Transit Duty, already agreed

upon by the Act of the Congress of Vienna (No. 27) through the whole course of the Rhine, to the transport by water of merchandise which, on quitting the Rhine, shall enter the Rivers, Canals, or other Internal Navigable Communications, to cross afterwards the said Riverain States, in so far as it can be done, without changing the Transport by Water against a Transport by Land.

Merchandise changing Transport by Water for Transport by Land to be subject to Ordinary Legislation.

The latter case occurring, Merchandise shall be subjected to the rules of the ordinary legislation of the respective Governments. Boatmen leaving the Rhine to make use of the Internal Navigable Communications of the Riverain States, shall be subject, in all cases, to the formalities in force for the Transit, to prevent fraud, as well as for the payment of Quayage, Bridge, and other Dues enforced there and on the same footing as those paid by similar Vessels of the respective Riverain States.

Free Ports on the Rhine.

Art. X. The High Governments of the other Riverain States also engage on their side to declare as Free Ports for the commerce on the Rhine, all or several towns situated on the borders of the Rhine, namely;

The Governments of Prussia, Cologne and Dusseldorf, in declaring themselves ready to increase hereafter the number of Prussian Free Ports if the necessity or circumstances require it.

For Nassau, Bieberich and Oberlahnstein;
For Hesse, Mayence;
For Baden, Mannheim;
For Bavaria, Spire;
For France, Strasburg (see Article XI).

Power to increase number of Free Ports.

Saving the power to all Governments to increase the number of Free Ports as they shall respectively find it convenient, in such manner that merchandise carried by Netherlands' vessels, or by all others belonging to subjects of Riverain States, coming from, or destined for the said kingdom, may be stored in them for a longer or shorter period, and afterwards forwarded further along the Rhine, or on the other Internal Navigable Communications mentioned in Article IX, crossing the Riverain States, to the interior

of Germany or Switzerland, not being subjected, in either case, to the payment of any Impost, or Port or Transit Duty whatever, except the payment at the time of the Duties of Storage, Quayage, &c., generally established in those Free Ports, but which shall not, under any circumstances, exceed those fixed by Article LXIX of the present Regulations.

Duties on Vessels and Merchandise passing through Riverain States by other Roads than the Rhine and its Tributary Rivers.

It is, nevertheless, understood that the Merchandise which, in the cases above provided for, shall leave the course of the Rhine, mentioned in Article III, or the Tributary Rivers subjected to the same Regulations as those established on the said River, in order to pass through the Riverain States by other navigable roads, shall be subjected to the formalities prescribed by the legislation in force in the said States for the control and superintendence of Customs Dues, as well as for the payment of Barrier, Bridge, and other Duties of the same nature, but the Vessels of the Netherlands, or the merchandise coming therefrom or going thereto, shall not be treated in a more unfavourable manner than the Vessels or merchandise of the Riverain States through which they pass.

Privileges of Riverain States of the Main, the Neckar, &c.

Art. XI. The Governments of the Riverain States of the Main, the Neckar, and other Rivers flowing into the Rhine, shall be admitted, for their merchandise, to the enjoyment of the same immunities in the Free Ports of the Netherlands and in those to be established on the Rhine, as those granted by the preceding Articles, so soon as they shall have established in their respective Countries and on the Banks of the said Rivers similar Free Ports under the stipulations mentioned in the preceding Article.

Declaration of French Commissioner.

[The Government of France not being able purely and simply to adhere to the 3 preceding Articles, refers as to their execution in her Territory, to the Declaration inserted on the subject in the Protocol annexed to the present Regulations, which shall have the same force and value as if it were inserted word for word therein.*]

(Articles XII, XIII.)—*General Arrangements, &c.*

Title II. (Articles XIV to XXXV.)—*Duties of Navigation and the means of ensuring their Collection.*

* See Protocol, page 853.

TITLE III. (Articles XXXVI to XLI.)—*Application of Customs Laws of Riverain States to the Navigation of the Rhine.*

TITLE IV. (Articles XLII to XLVII.)—*Right of Navigation on the Rhine.*

TITLE V. (Articles XLVIII to LII.)—*Freightage and Registration.*

TITLE VI. (Articles LIII to LXX.)—*Police Regulations for the Safety of Navigation and Commerce.*

TITLE VII. (Articles LXXI to LXXX.)—*Fraud on Duties of Navigation.*

TITLE VIII. (Articles LXXXI to LXXXVIII.)—*Trial of Causes relating to the Navigation of the Rhine.*

TITLE IX. (Articles LXXXIX to CVIII.)—*Powers and Duties of the Central Commission, of the Chief Inspector, and of the other Officers of the Customs Navigation, and their Salaries.*

TITLE X. (Article CIX.)—*Execution of the preceding Regulations.*

A. *Table of Articles of Commerce, which shall pay, on their Passage through the Territory of the Netherlands, from Krimpen or Gorcum to the Open Sea, a Higher or Lower Fixed Duty than that established by Article IV of the Convention.*

B. *Tariff of Duties of Verification, payable at each Collecting Office, in Proportion of the Burthen of the Vessels navigating on the Rhine.*

C. *Tariff of Navigation Dues on the Rhine.*

D. *Manifests.*

(Annex.) PROTOCOL *annexed to the Convention and Regulations relative to the Navigation of the Rhine, of the 31st March, 1831, relative to the Second Paragraph of Article XI of the said Treaty.*

Declaration of French Commissioner.

France.—The French Commissioner has the honour to present the Declaration referred to in the Additional Paragraph to Article XI of the Project of Regulations.

The French Government being unable, without compromising the general interests of the National Commerce, to adhere purely and simply to Articles IX, X, and XI of the annexed Regulations, and wishing nevertheless to prove to the Government of the Netherlands, as well as to the other Riverain States of the Rhine,

its sincere wish to contribute with them in reviving the Navigation and the Commerce of that River, agrees to modify its actual Customs' administration by the following arrangements, which shall have the same force and vigour as if they were inserted in the Regulations.

1. The Merchandise or Provisions included in the annexed List shall be received at the Harbour of Strasburg, under the conditions of Article XXV of the Law of the 8th Floreal of the year XI, of Article XIV of the Law of 17th May, 1826, and of the previous Regulations which created the said Harbour.

2. All Merchandise or Provisions coming from Countries beyond Sea, or which are the produce of Riverain Countries of the Rhine, situated below Mayence, must have been loaded in the latter Port or lower down.

3. They may be despatched in Transit from all parts, except from those described in Article XII of the Law of the 28th April, 1816, which can only be despatched by the Rhine or by the Canal in order to leave by Huninguen.

4. They shall only be subjected, either for Warehouse or Transit, to the simple Duty of 15 centimes per 100 francs value, or 25 centimes per quintal, mark weight, at the choice of the debtor.

5. Such articles of the said Merchandise as are described in Article XII of the Law of the 28th April, 1816, cannot under any circumstances, although they are received at the Strasburg Warehouse, be declared for internal sale; they must always be re-exported, as has been above stated.

6. If the Vessels mentioned in Article III as arriving at the Warehouse of Strasburg, have solid Stowage Room entirely separated from the berths and other places accessible to the crew, they shall only be subjected at the Wantzenau to the plumbing of the hatchways, the closing of which shall be ensured by the Customs by means of padlocks, seals, and any other means they may think proper to use, together or separately, as well as by a guard of overseers which they shall always be at liberty to put on board.

7. Merchandise which shall not be sent direct from Wantzenau to Huninguen in Vessels whose hatchways are shut, as above stated, shall be subjected to plumbing, either at Wantzenau, or on their departure from Strasburg. In the latter case the plumbing shall be double, if it relates to manufactured goods

which are marked with a star (*) in the annexed List. Those of the manufactured goods which are marked in the annexed List with a double star (**) shall be shewn in chests in good condition.

8. All vessels belonging to the Riverain States of the Rhine, or to the Tributaries of that River, shall be assimilated to French vessels, as regards Duties and the right of Navigation on the Ill as far as Strasburg. The same favour is likewise extended to Netherland Vessels admitted to storage from Strasburg to Huninguen through the Canal of the Rhone to the Rhine.

List annexed to the Declaration of the French Commissioner relative to Article XI of the Treaty of 31*st March*, 1831.

[Between the years 1832 and 1840 various Supplementary Articles, and an additional Convention, were agreed upon between the Riverain States of the Rhine, relative to the Navigation of that River, all of which were embodied in a French Ordinance, dated 15th October, 1842; further Supplementary Articles were also agreed upon in the years 1844, 1845, 1846, 1847, and 1860, but it has not been thought necessary to insert them in this Work.]

No. 152.—*PROTOCOL of Conference between Great Britain, Austria, Prussia, and Russia, relative to the Demolition of Dutch Fortresses. London, 17th April,* 1831.*

Present: The Plenipotentiaries of Great Britain, Austria, Prussia, and Russia.

(Translation as laid before Parliament.†)

THE Plenipotentiaries of Austria, of Great Britain, of Prussia, and of Russia, having met, have directed their attention to the Fortresses constructed since the year 1815 in the Kingdom of the Netherlands, at the expense of the 4 Courts, and to the determinations which it would become necessary to take with respect to these Fortresses, when the separation of Belgium from Holland shall have been definitively effected.

Having carefully examined this question, the Plenipotentiaries of the 4 Courts were unanimously of opinion that the new situation in which Belgium would be placed, with her Neutrality acknowledged and Guaranteed by France, ought to change the system of Military Defence which had been adopted for the Kingdom of the Netherlands; that the Fortresses in question would be too numerous not to make it difficult for the Belgians to provide for their maintenance and defence; that, moreover, the unanimously admitted inviolability of the Belgian territory offered a security which did not previously exist; finally, that a part of these Fortresses, constructed under different circumstances, might at present be razed.

In consequence, the Plenipotentiaries have finally decided, that as soon as a Government shall exist in Belgium, recognised by the Powers taking part in the Conferences of London, a negotiation shall be set on foot between the 4 Powers and that Government, for the purpose of selecting such of the said Fortresses as should be demolished.

ESTERHAZY.
WESSENBERG.
PALMERSTON.
BULOW.
LIEVEN.
MATUSZEWIC.

* See Convention of 14th December, 1831.

† For French Version, see "State Papers," vol. xviii, p. 921.

*NOTE addressed by the Plenipotentiaries of Great Britain, Austria, Prussia, and Russia, to the Plenipotentiary of France, communicating the Protocol of 17th April, 1831, relative to the proposed demolition of the Dutch Fortresses.**

(Translation.)

Foreign Office, July 14, 1831.

THE Undersigned, Plenipotentiaries of the Courts of Austria, of Great Britain, of Prussia, and of Russia, being desirous to give a further proof of the reliance which they place on the disposition shown by the Government of His Majesty the King of the French for the maintenance of the general Peace, think it their duty to communicate to the Prince de Talleyrand the annexed copy of a Protocol which they have issued upon the subject of the Fortresses erected since the year 1815, in the Kingdom of the Netherlands.

The Undersigned see no objection to giving the same publicity to this Protocol as may be given to the other Acts of the negotiations which have taken place since the month of November, 1830, on the affairs of Belgium.

They take this opportunity to renew, &c.

ESTERHAZY.
PALMERSTON.
BULOW.
LIEVEN.
MATUSZEWIC.

* See also Convention of 14th December, 1831.

No. 153.—*TREATY between Great Britain, Austria, France, Prussia, and Russia, and Belgium, relative to the Separation of Belgium from Holland. Signed at London, 15th November*, 1831.*

ART. TABLE.

1. Composition of *Belgian* Territory.
2. *Belgian* Limits of *Luxemburg*.
3. Territorial Indemnity to *Netherlands* in *Limburg*.
4. Cessions made to *Holland* on the *Meuse*.
5. *Netherlands* to agree with *Germanic Confederation* and *Nassau* relative to Territorial Cessions.
6. Renunciation to Territories, &c., by *Netherlands* and *Belgium*. Boundary Commissioners.
7. *Belgium* to form an Independent and Neutral State.
8. Drainage of Waters of the two *Flanders*.
9. Free Navigation of *Rivers*. Navigation of the *Scheldt*. Navigation of intermediate *Channels* between the *Scheldt* and the *Rhine*. Appointment of Commissioners. Amount of Tolls. Fishing. River Tariffs.
10. Free use of *Canals*.
11. Commercial communication through *Maestricht* and *Sittard*. Use of Roads leading to Frontiers of *Germany*.
12. Construction of new *Road*, or cutting a new *Canal* in *Belgium*, opposite *Sittard*, and from thence to Frontiers of *Germany*. Duties and Tolls to be levied on said Road or Canal.
13. Division of Public Debt. Appointment of Commissioners for the Division of the Public Debt. Delivery of Archives, Maps, &c., to *Belgium*.
14. Reimbursement by *Belgium* of Advances made by *Holland*.
15. *Antwerp* to be a Port of Commerce.
16. *Canals, Roads*, &c., to belong to respective Countries. Capitals borrowed for construction of *Roads*, &c.
17. Removal of Sequestrations.
18. Right to transfer Residence, and to Dispose of Property, &c. *Droit d'Aubaine et de Détraction* abandoned.
19. Character of a Subject, with regard to Property.
20. Rights of Persons holding Property in both Countries.
21. Persons changing their Residence not to be molested.
22. Payment of Pensions and Allowances.
23. Claims of *Belgians* on Private Establishments. Restoration of Securities, &c. Claims called French Liquidations.
24. Evacuation of Territories, Towns, &c.
25. Guarantee of execution of Treaty by 5 Powers.
26. Peace between 5 Powers and *Belgium*.
27. Ratifications.

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* Cancelled by Treaties of 19th April, 1839. See also Convention of 10th November, 1832.

[Belgium and Holland.]

(Translation as laid before Parliament.*)

The Courts of Great Britain, Austria, France, Prussia, and Russia, taking into consideration the events which have occurred in the United Kingdom of the Netherlands since the month of September of the year 1830, the obligation which they are under to prevent these events from disturbing the general Peace, and the necessity which arises from these events of making certain modifications in the transactions of the year 1815, by which the United Kingdom of the Netherlands was created and established; and His Majesty the present King of the Belgians participating in these intentions of the above-mentioned Courts, they have named for their Plenipotentiaries, viz.:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and his Principal Secretary of State for Foreign Affairs;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Prince Paul Esterhazy, Chamberlain, and Privy Councillor of His Imperial and Royal Apostolic Majesty, and his Ambassador Extraordinary and Plenipotentiary to His Britannic Majesty, &c.;—and the Sieur John Philip, Baron de Wessenberg, Chamberlain, Privy Councillor of His Imperial and Royal Apostolic Majesty, &c.;

His Majesty the King of the French, the Sieur Charles Maurice de Talleyrand-Périgord, Prince-Duke de Talleyrand, Peer of France, his said Majesty's Ambassador Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

His Majesty the King of Prussia, the Sieur Henry William, Baron de Bulow, his Chamberlain, Privy Councillor of Legation, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Christopher, Prince of Lieven, General of Infantry in his Armies, his Aide-de-Camp General, Ambassador Extraordinary and Plenipotentiary to His Britannic Majesty, &c.; and the Sieur Adam, Comte Matuszewic, Privy Councillor of his said Majesty, &c.;

And His Majesty the King of the Belgians, the Sieur Sylvain

* For French version, see "State Papers," vol. xviii, p. 646.

Van de Weyer, his Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

Composition of Belgian Territory.

ART. I. The Belgian territory shall be composed of the provinces of South Brabant, Liege, Namur, Hainhault, West Flanders, East Flanders, Antwerp, and Limburg, such as they formed part of the United Kingdom of the Netherlands constituted in 1815, with the exception of those districts of the province of Limbourg which are designated in Article IV.

The Belgian territory shall, moreover, comprise that part of the Grand Duchy of Luxemburg which is specified in Article II.

Belgian Limits of Luxemburg.

ART. II. In the Grand Duchy of Luxemburg, the limits of the Belgian territory shall be such as will be hereinafter described:

Commencing from the frontier of France, between Rodange, which shall remain to the Grand Duchy of Luxemburg, and Athus, which shall belong to Belgium, there shall be drawn, according to the annexed Map,* a line which, leaving to Belgium the road from Arlon to Longwy, the town of Arlon with its district, and the road from Arlon to Bastogne, shall pass between Mesancy, which shall be on the Belgian territory, and Clemancy, which shall remain to the Grand Duchy of Luxemburg, terminating at Steinfort, which place shall also remain to the Grand Duchy.

From Steinfort this line shall be continued in the direction of Eischen, Hecbus, Guirsch, Ober-Pallen, Grende, Nothomb, Parette, and Perlé, as far as Martelange: Hecbus, Guirsch, Grende, Nothomb, and Parette, being to belong to Belgium, and Eischen, Ober-Pallen, Perlé, and Martelange, to the Grand Duchy.

From Martelange the said line shall follow the course of the Sure, the water-way (*thalweg*) of which River shall serve as the limit between the two States, as far as opposite to Tintange, from whence it shall be continued, as directly as possible, towards the present frontier of the arrondissement of Diekirch, and shall pass between Surret, Harlange, and Tarchamps, which places shall be

* See Map annexed to Treaty of 19th April, 1839.

left to the Grand Duchy of Luxemburg, and Honville, Livarchamp, and Loutremange, which places shall form part of the Belgian territory. Then having, in the vicinity of Doncols and Soulez, which shall remain to the Grand Duchy, reached the present boundary of the arrondissement of Diekirch, the line in question shall follow the said boundary to the frontier of the Prussian territory.

All the territories, towns, fortresses, and places situated to the west of this line, shall belong to Belgium; and all the territories, towns, fortresses, and places, situated to the east of the said line shall continue to belong to the Grand Duchy of Luxemburg.

It is understood, that, in marking out this line, and in conforming as closely as possible to the description of it given above, as well as to the delineation of it on the map, which, for the sake of greater clearness, is annexed to the present Article, the Commissioners of Demarcation, mentioned in Article VI, shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom.

Territorial Indemnity to Netherlands in Limburg.

Art. III. In return for the cessions made in the preceding Article, there shall be assigned to His Majesty the King of the Netherlands, Grand Duke of Luxemburg, a Territorial Indemnity in the province of Limburg.

Cessions made to Holland on the Meuse.

Art. IV. In execution of that part of Article I, which relates to the province of Limburg, and in consequence of the cessions specified in Article II, there shall be assigned to His Majesty the King of the Netherlands, either to be held by him in his character of Grand Duke of Luxemburg, or for the purpose of being united to Holland, those territories, the limits of which are hereinafter described:

1st. On the right bank of the Meuse: to the old Dutch enclaves upon the said bank in the province of Limburg, shall be united those districts of the said province upon the same bank, which did not belong to the States-General in 1790; in such wise that the whole of that part of the present province of Limburg, situated upon the right bank of the Meuse, and comprised between that River on the west, the frontier of the Prussian territory on

the east, the present frontier of the province of Liege on the south, and Dutch Guelderland on the north, shall henceforth belong to His Majesty the King of the Netherlands, either to be held by him in his character of Grand Duke of Luxemburg, or in order to be united to Holland.

2nd. On the left bank of the Meuse: commencing from the southernmost point of the Dutch province of North Brabant, there shall be drawn, according to the annexed Map,* a line which shall terminate on the Meuse below Wessem, between that place and Stevenswaardt, at the point where the frontiers of the present arrondissement of Ruremonde and Maestricht meet, on the left bank of the Meuse; in such manner that Bergerot, Stamproy, Neer Itteren, Ittervoord, and Thorne, with their districts, as well as all the other places situated to the north of this line, shall form part of the Dutch territory.

The old Dutch enclaves in the province of Limburg, upon the left bank of the Meuse, shall belong to Belgium, with the exception of the town of Maestricht, which, together with a radius of territory extending 1,200 toises from the outer glacis of the fortress on the said bank of this River, shall continue to be possessed in full sovereignty and property by His Majesty the King of the Netherlands.

Netherlands to agree with Germanic Confederation and Nassau, relative to Territorial Cessions.

ART. V. It shall be reserved to His Majesty the King of the Netherlands, Grand Duke of Luxemburg, to come to an agreement with the Germanic Confederation, and with the Agnates of the House of Nassau, as to the application of the stipulations contained in Articles III and IV, as well as upon all the arrangements which the said Articles may render necessary, either with the above-mentioned Agnates of the House of Nassau, or with the Germanic Confederation.

Renunciation to Territories, &c., by Netherlands and Belgium.

ART. VI. In consideration of the territorial arrangements above stated, each of the two Parties renounces reciprocally, and for ever, all pretension to the territories, towns, fortresses, and places, situated within the limits of the possessions of the other Party, such as those limits are described in Articles I, II, and IV.

* See Map annexed to Treaties of 19th April, 1839.

Boundary Commissioners.

The said limits shall be marked out in conformity with those Articles, by Belgian and Dutch Commissioners of Demarcation, who shall meet as soon as possible in the town of Maestricht.

Belgium to form an Independent and Neutral State.

ART. VII. Belgium, within the limits specified in Articles I, II, and IV, shall form an independent and perpetually Neutral State. It shall be bound to observe such Neutrality towards all other States.

Drainage of Waters of the two Flanders.

ART. VIII. The drainage of the waters of the two Flanders shall be regulated between Holland and Belgium, according to the stipulations on this subject, contained in Article VI of the Definitive Treaty, concluded between His Majesty the Emperor of Germany and the States-General, on the 8th of November, 1785;* and in conformity with the said Article, Commissioners, to be named on either side, shall make arrangements for the application of the provisions contained in it.

Free Navigation of Rivers.

ART. IX. The provisions of Articles CVIII to CXVII inclusive, of the General Act of the Congress of Vienna (**No. 27**), relative to the Free Navigation of navigable Rivers, shall be applied to those navigable Rivers which separate the Belgian and the Dutch territories, or which traverse them both.

Navigation of the Scheldt.

So far as regards specially the Navigation of the Scheldt, it shall be agreed that the pilotage and the buoying of its channel, as well as the conservation of the channels of the Scheldt below Antwerp, shall be subject to a joint superintendence; that this joint superintendence shall be exercised by Commissioners, to be appointed on both sides for this purpose; that moderate pilotage dues shall be fixed by mutual agreement; and that such dues shall be the same for the Dutch as for the Belgian commerce.

* See Appendix.

Navigation of Intermediate Channels between the Scheldt and the Rhine.

It is also agreed that the Navigation of the Intermediate Channels between the Scheldt and the Rhine, in order to proceed from Antwerp to the Rhine, and *vice versâ*, shall continue reciprocally free, and that it shall be subject only to moderate tolls, which shall provisionally be the same for the commerce of the two countries.

Appointment of Commissioners. Amount of Tolls. Fishing.

Commissioners on both sides shall meet at Antwerp in the space of one month, as well to determine the definite and permanent amount of these Tolls, as to agree upon a general Regulation for the execution of the provisions of the present Article, and to include therein a provision for the exercise of the right of Fishing and of trading in fish, throughout the whole extent of the Scheldt, on a footing of perfect reciprocity in favour of the subjects of the two countries.

River Tariffs.

In the mean time, and until the said Regulations shall be prepared, the Navigation of the navigable Rivers above mentioned shall remain free to the commerce of the two countries, which shall adopt provisionally, in this respect, the Tariffs of the Convention signed at Mayence on the 31st March, 1831 (**No. 151**), for the free Navigation of the Rhine, as well as the other provisions of that Convention, so far as they may be applicable to those navigable Rivers which divide the Dutch and Belgian territories, or traverse both.

Free use of Canals.

Art. X. The use of the Canals which traverse both countries shall continue to be free and common to the inhabitants of both. It is understood that they shall enjoy the use of the same reciprocally, and on equal conditions, and that on either side moderate duties only shall be levied upon the navigation of these Canals.

Commercial Communication through Maestricht and Sittard.

Art. XI. The commercial communications through the town of Maestricht, and through Sittard, shall remain entirely free, and shall not be impeded under any pretext whatsoever.

Use of Roads leading to Frontiers of Germany.

The use of the Roads which, passing through these towns, lead to the frontiers of Germany, shall be subject only to the payment of moderate Turnpike Tolls, for the repair of the said roads, so that the transit commerce may not experience any obstacle thereby, and that, by means of the tolls above mentioned, these roads may be kept in good repair, and fit to afford facilities to that commerce.

Construction of new Road or Cutting a new Canal in Belgium, opposite Sittard, and from thence to Frontiers of Germany.

ART. XII. In the event of a new Road having been constructed, or a new Canal cut, in Belgium, terminating at the Meuse, opposite the Dutch canton of Sittard, in that case, Belgium shall be entitled to demand of Holland, who, on the other hand, shall not in such case refuse her consent, that the said Road, or the said Canal, shall be continued, according to the same plan, and entirely at the cost and charge of Belgium, through the canton of Sittard, to the frontiers of Germany. This road or canal, which shall be used only as a commercial communication, shall be constructed, at the option of Holland, either by engineers and workmen, whom Belgium shall obtain permission to employ for that purpose in the canton of Sittard, or by engineers and workmen to be furnished by Holland, and who shall execute the works agreed upon at the expense of Belgium; the whole without any charge whatsoever to Holland, and without prejudice to her exclusive rights of sovereignty over the territory which may be traversed by the Road or Canal in question.

Duties and Tolls to be levied on said Road or Canal.

The two Parties shall fix, by mutual agreement, the amount and the mode of collection of the Duties and Tolls which should be levied upon the said Road or Canal.

Division of Public Debt.

ART. XIII. § 1. From and after the 1st of January, 1832, Belgium, with reference to the division of the Public Debt of the United Kingdom of the Netherlands, shall remain charged with the sum of 8,400,000 Netherland florins of annual interest, the capital of which shall be transferred from the debit of the Great Book at Amsterdam, or from the debit of the General Treasury

of the United Kingdom of the Netherlands, to the debit of the Great Book of Belgium.

§ 2. The capitals transferred, and the annuities inscribed upon the debit of the Great Book of Belgium, in consequence of the preceding paragraph, to the amount of the total sum of 8,400,000 Netherland florins of annual interest, shall be considered as forming part of the Belgic National Debt; and Belgium engages not to admit, either at present or in future, any distinction between this portion of her Public Debt, arising from her union with Holland, and any other Belgic National Debt already created, or which may be created hereafter.

§ 3. The payment of the above-mentioned sum of 8,400,000 Netherland florins of annual interest shall take place regularly every six months, either at Brussels or at Antwerp, in ready money, without deduction of any kind whatsoever, either at present or in future.

§ 4. In consideration of the creation of the said sum of 8,400,000 florins of annual interest, Belgium shall be released from all obligation towards Holland, on account of the division of the Public Debt of the United Kingdom of the Netherlands.

Appointment of Commissioners for the Division of the Public Debt.

§ 5. Commissioners to be named on both sides, shall meet within the space of 15 days in the town of Utrecht, in order to proceed to a settlement of the accounts of the fund of the *Syndicat d'Amortissement*, and of the Bank of Brussels, charged with the service of the General Treasury of the United Kingdom of The Netherlands. No additional charge shall result to Belgium from this settlement; the sum of 8,400,000 florins of annuities comprehending the whole of the charge which she is to take upon herself. But if it should appear from such settlement, that there is a balance to be received, Belgium and Holland shall share the same in the proportion of the taxes paid by each of the two countries during their union, according to the Budgets voted by the States-General of the United Kingdom of the Netherlands.

§ 6. In the settlement of the administration of the Sinking Fund, shall be comprised the credits secured on the public lands, called *Domein losrenten*. These are alluded to in the present Article only for the purpose of record.

§ 7. The Dutch and Belgian Commissioners mentioned in § 5 of the present Article, and who are to meet in the town of Utrecht,

shall, in addition to the settlement with which they are charged, proceed to the transfer of the capitals and annual interest which, upon the division of the Public Debt of the United Kingdom of the Netherlands, are to fall to the charge of Belgium, up to the amount of 8,400,000 florins of annual interest.

Delivery of Archives, Maps, &c., to Belgium.

They shall also proceed to deliver up the Archives, Maps, Plans, and other Documents whatsoever, which belong to Belgium, or which relate to her administration.

Reimbursement by Belgium of Advances made by Holland.

ART. XIV. Holland having, since the 1st of November, 1830, exclusively made all the necessary Advances to meet the charge of the whole of the Public Debt of the Kingdom of the Netherlands, and having still to make those advances, for the half-year ending the 1st of January, 1832, it is agreed that the said advances, calculated from the 1st of November, 1830, to the 1st of January, 1832, for 14 months, at the rate of 8,400,000 Netherland florins per annum, with which Belgium remains charged, shall be reimbursed by thirds to the Dutch Treasury, by the Treasury of Belgium. The first third of this reimbursement shall be paid by the Belgian to the Dutch Treasury, on the 1st of January, 1832, the second on the 1st of April, and the third on the 1st of July, of the same year. On the two last thirds, interest at the rate of 5 per cent. per annum shall be paid to Holland, until they are completely discharged at the aforesaid periods.

Antwerp to be a Port of Commerce.

ART. XV. The Port of Antwerp, in conformity with the Stipulations of Article XV of the Treaty of Paris, of the 30th of May, 1814 (**No. 1**), shall continue to be solely a Port of Commerce.

Canals, Roads, &c., to belong to respective Countries.

ART. XVI. Works of public or private utility, such as Canals, Roads, or others of a similar nature, constructed wholly or in part at the expense of the United Kingdom of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the country in which they are situated.

Capitals borrowed for Construction of Roads, &c.

It is understood that the capitals borrowed for the construc-

tion of these Works, and specifically charged thereupon, shall be comprised in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

Removal of Sequestrations.

ART. XVII. The Sequestrations which may have been imposed in Belgium, during the troubles, for political causes, on any property or hereditary estates whatsoever, shall be taken off without delay, and the enjoyment of the property and estates above mentioned shall be immediately restored to the lawful owners thereof.

Right to transfer Residence, and to Dispose of Property, &c.

ART. XVIII. In the two countries of which the separation takes place in consequence of the present Articles, the inhabitants and proprietors, if they wish to transfer their residence from one country to the other, shall, during two years, be at liberty to dispose of their Property, moveable or immoveable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or in any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

Droit d'Aubaine et de Détraction abandoned.

It is understood that the collection of the *Droit d'Aubaine et de Détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

Character of a Subject, with regard to Property.

ART. XIX. The character of a subject of the two Governments, with regard to Property, shall be acknowledged and maintained.

Rights of Persons holding Property in both Countries.

ART. XX. The Stipulations of Articles XI to XXI, inclusive, of the Treaty concluded between Austria and Russia, on the 3rd of May, 1815 (**No. 12**), which forms an integral part of the General Act of the Congress of Vienna (**No. 27**), stipulations relative to persons who possess Property in both countries, to the election of

residence which they are required to make, to the rights which they shall exercise as subjects of either State, and to the relations of neighbourhood in properties cut by the frontiers, shall be applied to such proprietors, as well as to such properties, in Holland, in the Grand Duchy of Luxemburg, or in Belgium, as shall be found to come within the cases provided for by the aforesaid Stipulations of the Acts of the Congress of Vienna (**No. 27**). The *Droits d'Aubaine et de Détraction*, being henceforth abolished, as between Holland, the Grand Duchy of Luxemburg, and Belgium, it is understood that such of the above-mentioned stipulations as may relate to those duties, shall be considered null and void in the 3 countries.

Persons changing their Residence not to be molested.

ART. XXI. No person in the territories which change domination, shall be molested or disturbed in any manner whatever, on account of any part which he may have taken directly or indirectly, in political events.

Payment of Pensions and Allowances.

ART. XXII. The Pensions and Allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st of November, 1830.

It is agreed that the above-mentioned Pensions and Allowances to persons born in the territories which now constitute Belgium, shall remain at the charge of the Belgian Treasury; and the Pensions and Allowances of persons born in the territories which now constitute Holland, shall be at the charge of the Dutch Treasury.

Claims of Belgians on Private Establishments.

ART. XXIII. All Claims of Belgian subjects upon any Private Establishments, such as the Widows' Fund, and the Fund known under the denomination of the *Fonds des Leges*, and of the Chest of Civil and Military Retired Allowances, shall be examined by the Mixed Commission of Liquidation mentioned in Article XIII, and shall be determined according to the tenor of the regulations by which these Funds or Chests are governed.

Restoration of Securities, &c.

The Securities furnished, as well as the payments made, by

Belgian accountants, and the judicial deposits and consignments, shall equally be restored to the parties entitled thereto, on the presentation of their proofs.

Claims called French Liquidations.

If, under the head of what are called the *French Liquidations*, any Belgian subjects should still be able to bring forward claims to be inscribed, such claims shall also be examined and settled by the said Commission.

Evacuation of Territories, Towns, &c.

ART. XXIV. Immediately after the exchange of the Ratifications of the Treaty to be concluded between the two Parties, the necessary orders shall be transmitted to the Commanders of the respective troops for the Evacuation of the Territories, Towns, Fortresses, and places which change domination. The Civil Authorities thereof shall also at the same time receive the necessary orders for delivering over the said territories, towns, fortresses, and places, to the Commissioners who shall be appointed by both Parties for this purpose.

This evacuation and delivery shall be effected so as to be completed in the space of 15 days, or sooner if possible.

Guarantee of Execution of Treaty by 5 Powers.

ART. XXV. The Courts of Great Britain, Austria, France, Prussia, and Russia guarantee to His Majesty the King of the Belgians the execution of all the preceding Articles.*

Peace between 5 Powers and Belgium.

ART. XXVI. In consequence of the stipulations of the present Treaty there shall be Peace and Friendship between their Majesties the King of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the King of the French, the King of Prussia, and the Emperor of All the Russias, on the one part, and His Majesty the King of the Belgians, on the other part, their heirs and successors, their respective States and subjects, for ever.

Ratifications.

ART. XXVII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London in the space of two months, or sooner if possible.

* See Treaties of 22nd October, 1832; and 19th April, 1839.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London the 15th day of November, in the year of Our Lord, 1831.

(L.S.) PALMERSTON.
(L.S.) ESTERHAZY.
(L.S.) WESSENBERG.
(L.S.) TALLEYRAND.
(L.S.) BULOW.
(L.S.) LIEVEN.
(L.S.) MATUSZEWIC.
(L.S.) S. VAN DE WEYER.

No. 154.—*CONVENTION between Great Britain and Russia, relative to the Russian-Dutch Loan. Signed at London, 16th November,* 1831.

ART. TABLE.

1. Payments by *Great Britain* on account of Dutch Loan.
2. *Russia* not to contract any other engagement without the consent of *Great Britain.*
3. Ratifications.

(English version.*)

THEIR Majesties the King of the United Kingdom of Great Britain and Ireland, and the Emperor of All the Russias, considering that the events which have occurred in the United Kingdom of the Netherlands since the year 1830 have rendered it necessary that the Courts of Great Britain and Russia should examine the stipulations of their Convention of the 19th May, 1815 (**No. 18**), as well as of the Additional Article annexed thereto—considering that such examination has led the two High Contracting Parties to the conclusion that complete agreement does not exist between the letter and the spirit of that Convention, when regarded in connection with the circumstances which have attended the Separation that has taken place between the two principal divisions of the United Kingdom of the Netherlands; but that, on referring to the object of the above-mentioned Convention of the 19th May, 1815, it appears that that object was to afford to Great Britain a guarantee that Russia would, on all questions concerning Belgium, identify her policy with that which the Court of London had deemed the best adapted for the maintenance of a just Balance of Power in Europe, and on the other hand to secure to Russia the payment of a portion of her Old Dutch Debt, in consideration of the general Arrangements of the Congress of Vienna, to which she had given her adhesion, Arrangements which remain in full force:

Their said Majesties being desirous at the present moment that the same principles should continue to govern their relations with each other, and that the special tie which the Convention of the 19th May, 1815 (**No. 18**), had formed between the two Courts

* For French version, see "State Papers," vol. xviii, p. 928.

should be maintained, have, for this purpose, named as their Plenipotentiaries, viz.:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and his Principal Secretary of State for Foreign Affairs;

And His Majesty the Emperor of All the Russias, the Sieur Christopher, Prince of Lieven, General of Infantry in his Armies, his Aide-de-Camp General, Ambassador Extraordinary and Plenipotentiary to His Britannic Majesty, &c.;—And the Sieur Adam Count Matuszewic, Privy Councillor of His said Majesty, &c.:

Who after having exchanged their Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

Payments by Great Britain on account of Dutch Loan.

ART. I. In virtue of the considerations above specified, His Britannic Majesty engages to recommend to his Parliament to enable him to undertake to continue on his part the payments stipulated in the Convention of the 19th May, 1815 (**No. 18**), according to the mode, and until the completion of the sum fixed for Great Britain in the said Convention.*

Russia not to Contract any other Engagement without the Consent of Great Britain.

ART. II. In virtue of the same considerations, His Majesty the Emperor of All the Russias engages that if (which God forbid) the arrangements agreed upon for the Independence and the Neutrality of Belgium, and to the maintenance of which the two High Powers are equally bound, should be endangered by the course of events, he will not contract any other engagement without a previous agreement with His Britannic Majesty, and his formal assent.

* See Note next page, 874.

Ratifications.

ART. III. The present Convention shall be ratified, and the Ratifications shall be exchanged at London within the space of 6 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 16th day of November, in the year of Our Lord, 1831.

(L.S.) LIEVEN. (L.S.) PALMERSTON.
(L.S.) MATUSZEWIC.

NOTE.—An Act of Parliament was passed on the 3rd of August, 1832, [2 and 3 Will. 4, cap. 81], to enable His Majesty to carry into effect the above Convention. The Loan will be extinguished by the Sinking Fund in June, 1915 (see House of Commons' Returns, 1872, No. 357, and 1875, No. 20). See, also Convention between Great Britain, Netherlands, and Russia of 19th May, 1815; and between Great Britain and Russia of the 30th August, 1850; and note, page 152.

No. 155.—*BRITISH PROTEST against Russian Proceedings in Poland. London, 23rd November*, 1831.*

Viscount Palmerston to Lord Heytesbury.

My Lord, *Foreign Office, 23rd November*, 1831.

I HAVE received your Excellency's despatches reporting the opinion which prevails in St. Petersburgh that some considerable change is intended to be made in the Constitution of the Kingdom of Poland, explaining the arguments by which that supposed intention is defended, and asking for further instructions as to the course which your Excellency is to pursue with respect to the affairs of Poland in general.

His Majesty's Government have watched with unceasing interest and anxiety the progress of the contest in Poland. These feelings have been made known to your Excellency by the several communications which you have received from me, while they have not been concealed from the representative of His Majesty the Emperor of Russia at the Court of London. You have also been apprised of the grounds upon which His Majesty's Government considered it not to be advisable to interfere directly in the contest between the Emperor of Russia and his Polish subjects.

The War being now over, and the authority of the Emperor as King being completely re-established in Poland, the time is come when His Majesty feels himself justified, both by his friendship for the Emperor of Russia and by the duty resulting from the obligations which he had contracted under the Treaty of Vienna (No. 27), in addressing to His Imperial Majesty, in the most amicable tone, and with the deference which is due to his rights as an independent Sovereign, some observations as to the best mode of re-settling the Kingdom of Poland under the dominion of the Emperor, on principles accordant with those on which its Union with the Imperial Crown of Russia was originally formed, and in such a manner as may be most conducive to its future good government and tranquillity.

Your Excellency has already been instructed, by my despatch of the 22nd March last, to express the confidence of His Majesty's

* See further Protest of 3rd July, 1832.

Government that His Imperial Majesty would use his victory, when it should be obtained, with the moderation and mercy congenial with the high-minded and generous sentiments which are well known to animate the mind of His Imperial Majesty. It is, therefore, without any the slightest doubt of His Imperial Majesty's benevolent and merciful disposition, that I am commanded to instruct you to urge, whenever you may find a fit opportunity to do so, those considerations, both of humanity and policy, which cannot fail to find advocates in His Imperial Majesty's own feelings, and which would recommend the greatest forbearance and lenity in the treatment of his Polish subjects, who, by the success of His Majesty's arms, have been again reduced to obedience.

Above all, your Excellency is instructed to represent to the Russian Government how much severities of any kind, not authorized by the laws and Constitution of Poland, are to be avoided. If it should appear, therefore, that there is any intention of proceeding to measures of proscription and confiscation, as has been reported, you are instructed to represent to His Imperial Majesty's Government the impolicy and injustice of proceedings that would violate the Constitution, which, according to the stipulation of the Treaty of Vienna (**No. 27**), was granted by the Emperor Alexander to Poland, and by which it is provided that no man shall be punished except by virtue of existing laws, and no criminal banished except by process of law, and by which the penalty of confiscation is for ever abolished.

His Majesty's Government, indeed, under all the circumstances of the case, would earnestly recommend a full and complete Amnesty, from which those persons only should be excepted who have been guilty of the crime of assassination, and whose punishment would be effected by the ordinary course of justice.

This measure would appear to be one of the soundest policy. It could not in any degree weaken His Imperial Majesty's authority nor detract from his honour, being adopted at a moment when his power could no longer be resisted, and when such a measure could appear to be dictated only by the purest motives of benevolence and mercy. It could not fail to soothe the irritated feelings of the Poles, and to give them confidence in the Government, by preventing them from being exposed individually to vengeance; and it would do infinitely more than any harsh display of severity to reproduce among them those feelings of obedi-

ence to the Government which are necessary to its security and peace, and which cannot be expected under a system which might keep them in a state of continued insecurity and apprehension.

In this case, therefore, generosity and sound policy appear to go hand in hand, in suggesting that in order to make the possession of Poland conducive to the strength and prosperity of Russia, it is necessary for the Russian Government to conciliate the affections of the Poles, and to obliterate, instead of perpetuating, the traces of the recent contest.

The Poles have displayed, during the late war, qualities both of intellect and courage, which prove them capable of being either useful or dangerous subjects, according to the manner in which they may be governed. It is needless to point out the resources which may be drawn from 4,000,000 of people, full of activity, enterprise, and intelligence, provided they are attached to their Sovereign, and contented with their political condition. But such a people must necessarily become a source of embarrassment and weakness if they are kept in a state of exasperation and discontent, which will only be controlled so long as no favourable opportunity shall occur to excite them into action.

Is it on the very frontier of an empire, and in contact with military neighbours, that a wise Government would wish to place such elements of danger? Is it in the very outworks of defence that a prudent administration would incur the risk of having a population disaffected to its Government, and ready to join any invader who might promise them a milder rule and a better fate?

It is, then, not more upon principles of humanity than upon a friendly regard for the interests and the honour of Russia that His Majesty's Government instruct you earnestly to press upon the Russian Government a general and complete Amnesty; an act which is understood to have been spontaneously offered by the Emperor on more than one occasion during the war, and which His Majesty's Government have reason to believe is also recommended by other allies of His Imperial Majesty.

Your Excellency was instructed in a former despatch to state that His Majesty's Government could not see with indifference the Poles deprived of the advantages which had been secured to them by the Treaty of Vienna. These advantages consisted in the stipulation that a Constitution should be granted to them, and

in the Constitution which, in consequence of that stipulation, they afterwards received from the Emperor Alexander.

His Majesty's Government is not unmindful of the arguments which you state to have been adduced to prove that the Polish Constitution is in no degree identified with the Treaty of Vienna; but the validity of this reasoning cannot, as it appears to them, be maintained.

The Treaty of Vienna (**No. 27**) declared that the Kingdom of Poland should be attached to Russia by its Constitution. A Constitution the Emperor of Russia accordingly gave [27th November, 1815]; and it surely is no forced construction of the meaning of that Treaty to consider the Constitution so given as existing thenceforth under the sanction of the Treaty. But it is argued, that the same Power which gave may modify or take away. This, however, is an assertion for which no proof is afforded. The Constitution once given, became the link which, under the Treaty, binds the Kingdom of Poland to the Empire of Russia; and can that link remain unimpaired, if the Constitution should not be maintained?

Had the Constitution reserved to the Sovereign a right to change or modify, no objection could then have been made to the exercise of a power which would legally have been his. But the Constitution carefully guards against any such acts of executive authority. It declares (Article XXXI) that the Polish nation shall for ever possess a national representation, consisting of a Diet, composed of a King and Two Chambers; it declares (Article CLXIII) that the Organic Statutes and the Codes of Laws cannot be modified or changed, except by the King and the Two Chambers; it requires (Article XLV) that every King of Poland shall swear before God, and upon the Scriptures, to maintain the Constitution, and cause it to be executed to the best of his power; and the Emperor Alexander, on the 27th November, 1815, formally gave this Constitution, and declared that he adopted it for himself and for his successors.

Such are the provisions of the Constitution, which points out the authority by which any change or modification is to be made; and changes arbitrarily effected by the executive authority alone would obviously be violations of the Constitution.

It appears that some persons suppose the intention of the Russian Government to be to abolish the present form of Government in Poland, consisting of a Diet composed of a King and Two

Chambers, and to substitute for the Chambers Provincial States such as those which have been established in Gallicia and in some of the provinces of Prussia; and it is argued that such a change would still leave to Poland a Constitution sufficient to satisfy the stipulations of the Treaty of Vienna. But could such a form of government fairly, and according either to the letter or the spirit of the Treaty of Vienna, be considered as placing Poland in the situation which was thereby contemplated? That Treaty clearly appears to draw a marked distinction between the system of government to be established in those parts of Poland which had been annexed as provinces to Austria, Prussia, and Russia, and had been incorporated in their respective dominions, and that part which was to form the separate Kingdom of Poland, and which was to be placed, as such, under the same Sovereign as Russia, and secured in the enjoyment of its distinct rights and privileges.

In the former provinces, accordingly, the grant of Provincial States was perfectly in accordance with the rights to be exercised by the Sovereign over provinces that were incorporated with his other dominions; while the Constitution given to the Kingdom of Poland was suited to the separate and distinct position in which it was placed in its relation to the Russian Empire.

But in the separate Kingdom of Poland, united according to the Treaty of Vienna by its Constitution with the Crown of Russia, to abrogate that Constitution, and to substitute Provincial States, expressly modelled after those which had been granted to the incorporated provinces of Austria and Prussia, would be, in effect, to reduce that Kingdom, though still nominally possessing a separate existence, to the state and condition of a province, deprived of all the rights, and excluded from all the advantages which had been secured to it.

It cannot be admitted that the revolt of the Poles, and their violation of the Constitution by voting the separation of Poland from the Crown of Russia can absolve the Emperor, after his authority has been re-established, from his obligation to adhere to that Constitution. Wrongs committed by one side are not to be punished by the commission of wrongs on the other. From the submission of the Poles to the arms of His Imperial Majesty, Europe looks for the re-establishment of law and justice, and not for acts of retaliation and vengeance; since whatever excuse such acts may find in the troubles of an intestine war, they could

not be palliated if resorted to by a Power which has subdued all opposition, and which cannot plead for its measures the necessity of any pressing emergency.

It has often been stated in the Proclamations which have been issued by the Russian Government from time to time during the war, that only a part of the Poles had joined in the revolt, and that the majority of the nation remained faithful. If that be so, it affords a strong argument for not punishing the innocent for the offences of the guilty, by depriving all of the advantages which the Constitution confers upon them.

If, on the contrary, the whole of the nation should appear to have partaken in the revolt, such a general insurrection could only have proceeded from deeply-seated discontent, and such a feeling is not likely to be removed by a sweeping abrogation of the Constitution.

In pressing these considerations upon the Russian Government, your Excellency will be careful that while, on the one hand, you urge, as far as possible, the arguments which have been suggested, you do not, on the other, depart from that tone of friendly representation which is suited to the amicable relations existing between Great Britain and Russia.

I am, &c.,

PALMERSTON.

Lord Heytesbury.

No. 156.—*CONVENTION between Great Britain, Austria, Prussia, and Russia, and Belgium, relative to the Belgic Fortresses. Signed at London, 14th December*, 1831.

ART. TABLE.

Preamble. Reference to Treaties of 1815.
1. Demolition of *Belgian* Fortresses. Fortresses of *Menin, Ath, Mons, Philippeville,* and *Marienburg* to be demolished.
2. Artillery, stores, &c., to be removed from Fortresses.
3. Immediate partial demolition of Fortresses. Period of entire Demolition.
4. Maintenance of Belgian Fortresses.
5. Residue of sums appropriated to Defence of *Belgium* to be made over to *Belgium.*
6. Reservation of 4 Powers.
7. Ratifications.

(Translation as laid before Parliament.*)

Preamble. Reference to Treaties of 1815.

THEIR Majesties the King of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of Prussia, and the Emperor of All the Russias, on the one part, and His Majesty the King of the Belgians, on the other, having taken into consideration the present state of Belgium, and the changes effected in the relative position of that country, by its political Independence, as well as by the perpetual Neutrality which has been guaranteed to it; and being desirous of concerting the modifications which this new situation of Belgium renders necessary in the system of Military Defence which was therein adopted, in pursuance of the Treaties and Engagements of the year 1815, they have resolved to comprise in a special Convention a series of joint determinations on this subject.

With this view, their said Majesties have named as their Plenipotentiaries, viz.:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, his Principal Secretary of State for Foreign Affairs;

His Majesty the Emperor of Austria, King of Hungary and

* For French Version, see "State Papers," vol. xviii, p. 664.

Bohemia, the Prince Paul Esterhazy, his Ambassador Extraordinary and Plenipotentiary to His Britannic Majesty, &c.;—And the Sieur John Philip Baron de Wessenberg, &c.;

His Majesty the King of Prussia, the Sieur Henry William Baron de Bülow, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Christopher, Prince of Lieven, Ambassador Extraordinary and Plenipotentiary to His Britannic Majesty, &c.;—And the Sieur Adam. Count Matuszewic, &c.;

And His Majesty the King of the Belgians, the Sieur Albert Goblet, General of Brigade;

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed upon and signed the following Articles:

Demolition of Belgian Fortresses.

Art. I. In consequence of the changes which the Independence and the Neutrality of Belgium (**No. 152**) have effected in the military situation of that country, as well as in its disposable means of defence, the High Contracting Parties agree to cause to be dismantled such of the Fortresses constructed, repaired, or enlarged in Belgium since the year 1815, either wholly or partly at the cost of the Courts of Great Britain, Austria, Prussia, and Russia, of which the maintenance would henceforward only become a useless charge.

Fortresses of Menin, Ath, Mons, Philippeville, and Marienburg to be demolished.

In conformity with this principle, all the fortified works of the Fortresses of Menin, Ath, Mons, Philippeville, and Marienburg, shall be demolished within the periods fixed by the following Articles.

Artillery Stores, &c., to be removed from Fortresses.

Art. II. The artillery, the stores, and all the articles which form part of the equipment of those Fortresses, of which the dismantling is determined upon by the preceding Article, shall be withdrawn from the said Fortresses within the space of one month from the ratification of the present Convention, or sooner if possible, and shall be transported into those Fortresses which are to be maintained.

Immediate partial Demolition of Fortresses.

ART. III. In each of the places destined to be dismantled steps shall immediately be taken for the demolition of two fronts, as well as of the works which are situated in advance of those fronts, and also of the means of inundation which might serve to cover them, in such wise that each of the said places shall be rendered open by such demolition, which shall be effected within the space of two months after the Ratification of the present Convention.

Period of entire Demolition.

With regard to the entire Demolition of the fortified works of the places above mentioned, it shall be completed by the 31st of December, 1833.

Maintenance of Belgian Fortresses.

ART. IV. The Fortresses of Belgium, which are not mentioned in Article I of the present Convention as destined to be dismantled, shall be maintained: His Majesty the King of the Belgians engages to keep them constantly in good order.

Residue of sums appropriated to Defence of Belgium to be made over to Belgium.

ART. V. If in consequence of a settlement of accounts which shall be made, the 4 Courts, or either of them, should find that they have at their disposal any residue of the sums originally appropriated to the system of Defence of Belgium, such residue shall be made over to His Majesty the King of the Belgians, in order to be employed for the purpose to which the said sums were destined.

Reservation of 4 Powers.

ART. VI. The Courts of Great Britain, Austria, Prussia, and Russia reserve to themselves to ascertain, according to the periods fixed in Articles II and III, that the said Articles have been carried into full and entire execution.

Ratifications.

ART. VII. The present Convention shall be ratified, and the Ratifications shall be exchanged at London within the space of two months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 14th day of December, in the year of Our Lord, 1831.

(L.S.) PALMERSTON.
(L.S.) ESTERHAZY.
(L.S.) WESSENBERG.
(L.S.) BULOW.
(L.S.) LIEVEN.
(L.S.) MATUSZEWIC.
(L.S.) A. GOBLET.

No. 157.—*RUSSIAN ANSWER to British Protest against Russian Proceedings in Poland. St. Petersburgh,* 22nd December, 1831 / 3rd January, 1832.

(Translation.*)

Mon Prince,

In my despatch of the $\frac{3rd}{15th}$ December, I had the honour of explaining to your Highness the nature of the communication Lord Heytesbury had just made to us, in compliance with orders from his Government, on the subject of the affairs of Poland. Having since then submitted the matter to the Emperor, I am enabled, mon Prince, to state to you what are His Majesty's views on the subject of their communication.

It consists of two distinct parts: the first contains friendly advice tendered to the Emperor as to the best means of conciliating the Poles, of inspiring them with confidence, and, in short, of effacing all traces of the sanguinary struggle which has just been put an end to by the victory of the Russian arms; whilst the second part contains some observations on the interpretation of those Articles of the Treaty of Vienna to which the Kingdom of Poland owes its existence.

In offering their observations and their advice the British Cabinet has acknowledged the delicate nature of the task which they had thought it their duty to undertake, and their language on this occasion is full of all the consideration which friendship can suggest, and of that due deference which the Emperor had a right to expect. His Imperial Majesty is fully sensible of this, and has thought it a sufficient ground to authorise me to answer in detail the communications of Lord Heytesbury, although our previous declarations ought to have left no doubt as to the sentiments and intentions of the Emperor with reference to the affairs of Poland. Your Highness has several times been in a position to assure the Ministers of His Britannic Majesty in the most formal manner that the Emperor has never entertained, and will never entertain, the thought of infringing the stipulations of the Treaty of Vienna, but that he is thoroughly determined to admit

* For French version, see "State Papers," vol. xxxix, p. 1430.

no Foreign Intervention in questions which concern him exclusively. What we asked for at the same time was a straightforward and just interpretation of the Articles of the Treaty which define the manner in which the Kingdom of Poland is constituted. Now we see with regret that the very Article which stipulates that the Kingdom of Poland is to be bound to Russia by its Constitution has given rise, even in the British Cabinet, to conclusions relative to which we cannot share their opinion. Whoever examines this clause with real impartiality, will be convinced that it has been inserted in the Treaty with no other view than to express that the Union of the Kingdom to Russia must be the fundamental principle and the condition of its new existence.

This clause, therefore, does not impose on Russia any obligation other than that of maintaining the Union which the Treaty has brought about. If it had been the intention of the Contracting Powers to stipulate in favour of the Kingdom a special Charter, and to guarantee it, there can be no doubt that such a stipulation would be expressed in a manner more explicit and formal. But far from this, they confined themselves in a subsequent paragraph to assuring to the Polish subjects respectively of Russia, Austria, and Prussia, national institutions, reserving to each of the 3 Governments the power of regulating them as they should deem fit and proper. The Constitution which the Emperor Alexander of glorious memory in his magnanimity granted to the Kingdom was not a necessary consequence of the Treaty of Vienna, but a spontaneous act of his sovereign power. Subsequent as it is by its date to the transactions of the *Recès*, it does not form part of them, and their guarantee does not extend to it. If the Constitution of Poland had been given in conformity with the Treaty of Vienna, the Contracting Powers would have had the right to take cognizance of it, and to examine whether it answered to the engagements entered into by Russia. None of them has claimed this right, nor could they legally do so. All of them, on the contrary, recognized, either expressly or by their silence on the subject, that in granting this Constitution to his new subjects the Emperor had followed the dictates of his free will.

If one looks at the question in this light, one must confess that since the Poles have themselves, by their rebellion and decree of forfeiture, annulled the Constitution of the Kingdom,

nothing can compel the Emperor to re-establish it; and that His Imperial Majesty finds himself, on the contrary, replaced in the same independent situation as his august predecessor, when, in accordance with the terms of the Treaty of Vienna, he had still the power of choosing the sort of political existence which he might think fit and proper to grant to his new Polish subjects. In this particular, the engagements which Russia had entered into are the same for the 3 Powers, and it would be difficult to prove that the Emperor was bound to make concessions to the Kingdom of Poland which neither Gallicia nor the Grand Duchy of Posen have obtained.

We have stated above, mon Prince, that the Polish Constitution was annulled by the very fact of the rebellion. Will it be necessary for us to prove it? It is a recognised fact that between Government and Government, the Treaties and Conventions freely consented to by both Parties are put an end to by a state of war, and must be renewed, or at least expressly confirmed, on the conclusion of peace. All the more is it so with an act which is not two-sided, but a gift granted by a Sovereign to his subjects, and the first condition of which is, the obedience and faithfulness of the latter. All the more so, I say, is such an act annulled by a state of war, when the war is the necessary consequence of insurrection and treason.

This answers, mon Prince, to the quotations that Lord Palmerston has thought proper to make from various Articles of the Polish Constitution, in order thence to deduce the obligation under which the Emperor is to re-establish it. Destroyed as it is in its entirety, it is so also in every one of its stipulations, and we cannot therefore attach the slightest value to the different clauses that it is still proposed to enforce.

In treating this question, the British Cabinet has separated, as we have observed above, the consideration of existing Treaties from those which seem to it to be founded on political expediency. We think we have shown that in the arrangements concerning Poland, the Emperor does not infringe Treaties, but that those Treaties do not contain any stipulation which can be invoked for the re-establishment of the Polish Constitution. The arguments we have used are not new. Austria and Prussia maintained them before we did; and the British Ministry may conclude from the language which those two Powers instructed their Representatives at Paris and London to use, that there exists an entire

conformity of opinions and principles relative to the interpretation and application of the Treaty of $\frac{21st\ April}{3rd\ May}$, 1815 (**No. 12**), between the 3 Courts who may be said to be more especially concerned in it.

With regard to political expediency, nothing can, doubtless, be more judicious than the considerations which the English Ministers have thought proper to suggest; nothing can be more friendly than the advice which emanates from them. The Emperor has much pleasure in thanking the British Cabinet, but he flatters himself that that Cabinet will not refuse to take into consideration the position of the Imperial Government, and the duties which it entails. The questions in point affect so closely the interests of the Crown, and those of the Empire, that the Emperor cannot but take into consideration those very interests in the resolutions which he has still to come to.

It is not with a view to inflicting on the Poles a punishment doubtless well deserved, that the Emperor has resolved not to renew a Constitution which they themselves trampled on, but because experience has proved that that Constitution was not the best means of insuring the peace, and, consequently, the welfare of the country; that, far from having been able to prevent the disasters which have taken place in Poland, it is that very Constitution which has, during 15 years, kept alive among the Poles that discontented and turbulent spirit which the first spark kindled into open rebellion. Now we leave the English Ministers to judge themselves whether it would be wise or politic to let institutions subsist which have so little answered the benevolent intentions of their august founder, and of which a criminal use was made.

With regard to the appeal made by the British Cabinet to the feelings of mercy and humanity of our august Master, his Excellency has already replied to them by the Amnesty of the 20th October; all our Allies, mon Prince, applauded this act. France alone deemed it right to insist on a general Amnesty, without a single exception. But she seems since then to have arrived at a juster view of the subject. Perhaps the French Government will recognise in time that its own interest demands that revolution should not go unpunished, and that the Government itself gains strength and security in proportion as the Revolutionary Party in France and elsewhere is weakened.

Such are the arguments which we should oppose, mon Prince, to the suggestions contained in the communications of the British Ministry with reference to a complete and entire Amnesty. But we are happy to think that that Government will not persist any more than that of King Louis-Philippe did, and that they will even judge with greater impartiality the acts of the Imperial Government.

All the efforts and all the care of the Emperor tend towards the establishment of moral peace throughout the Kingdom, that is, to soothe and put an end to that irritation which is the necessary consequence of a sanguinary and calamitous struggle, and to bring about gradually a sincere reconciliation between two nations united under the same sceptre. His Imperial Majesty entertains the just hope that, with the assistance of Providence, he will fulfil this salutary task; but what must delay its accomplishment, keep up a certain agitation among the Poles, and encourage the guilty hopes of those who persist in opposing legitimate Government, is foreign intervention in the affairs of Poland, and the anxious surveillance exercised over all that passes in that country, the false interpretation one gives to Treaties, and the right of patronage that appears to be assumed towards those among the Poles who are excluded from the amnesty, or who reject benefits. This deplorable system, which the Propaganda has made France adopt, and which has been imitated in other countries, has already produced the most disastrous results in the Kingdom of Poland. This is in a great measure the cause of the dogged resistance of the Poles, which prolonged the struggle beyond all expectation. It can still do infinite mischief, if Governments do not seek, at least by their example, to paralyze the effects of a tendency which shows itself so generally, if they do not consent in good faith to trust the future fate of the Kingdom of Poland to the wisdom and good feeling of the Emperor, to the knowledge which he must possess of the real interests of his Government and of his subjects, to the respect which he has always professed for existing Treaties, and, lastly, to his anxiety for the welfare of his people, for their recovery from the sufferings which a period of calamity had entailed, and the necessity of for ever preventing its recurrence.

It is particularly from the British Government that our august Master thinks he has a right to expect this proof of confidence and consideration. The political course of his Cabinet, the

straightforwardness and honesty of which the British Cabinet has so often been in a position to appreciate, invests His Imperial Majesty with this right. On the other hand, the British Government is not under the disagreeable necessity of submitting to the requirements of a party which only seeks to disturb the friendly relations of the Powers with a view of their attaining the object of its efforts, that is, general confusion. This Government will, therefore, avail themselves of their power to pursue the line of conduct prescribed by their principles of justice and the wisdom of their councils. By a necessary consequence they will respect the rights of the Emperor in the justest of causes.

We have just, mon Prince, with perfect straightforwardness, expressed our opinion on the subject of the communication which Lord Heytesbury made to us by order of his Court. This was due to the bond of friendship that unites the two Governments, and which the Emperor will always be anxious to maintain. It was due especially to the friendly spirit which pervaded that communication. But His Imperial Majesty flatters himself that our explanations will be satisfactory to the British Government, and that it is the last time he will be called upon to give explanations on a subject which concerns himself exclusively. His Majesty is all the more anxious for this, as he highly values the importance of rendering his relations with the British Government more and more intimate, and that he is anxious to remove from them everything that could impair them.

Your Highness will be so good as to explain this wish to Lord Palmerston, when you communicate the contents of this despatch to him.

NESSELRODE.

[See further British Protests of 23rd November, 1831, and 3rd July, 1832.]

No. 158.—*MANIFESTO of the Emperor of Russia, on the promulgation of a New Organic Statute for the Government of the Kingdom of Poland. St. Petersburgh, 26th February*, 1832.

(Translation.*)

By the Grace of God, We, Nicolas I, Emperor of All the Russias, King of Poland, &c.

In announcing to our faithful subjects by our Manifesto of the $\frac{\text{25th January}}{\text{6th February}}$ of last year, the entrance of our Armies into the Kingdom of Poland, momentarily withdrawn by rebellion from the legitimate Sovereign, we have declared our intention to strengthen the future of that country on solid bases, in harmony with the events and well-being of the whole of our Empire. Now that the strength of our arms has put a stop to the disturbances which have agitated the Kingdom of Poland, and that the nation, led on by factions, has been brought back to duty, and pacified, we have judged that the time has arrived to fulfil our intentions, and to lay down the basis of a solid and lasting state of affairs, in order to guarantee from all new attempts the indissoluble Peace and Union of the two peoples, which Divine Providence has confided to our care.

The Kingdom of Poland, already conquered by the victorious arms of Russia, had not only recovered a national existence in 1815, but had obtained a Constitutional Charter [27th November, 1815], monument of the magnanimity of our august predecessor, the Emperor Alexander, of glorious memory. That Charter has nevertheless not satisfied men inimical to all order and legitimate power. In their guilty projects, dreaming of separation of the two countries subject to our sceptre, they have abused the benefits of the regeneration of their country, and have used as a means to overthrow his work the privileges and constitutions which they possessed exclusively from his sovereign will. Torrents of blood have been shed; the peace and prosperity which the Kingdom of Poland enjoyed to a degree unknown until then, have given way to the horrors of civil war and total ruin. These disasters have nevertheless come to an end. The Kingdom of Poland, brought

* For French Version see "State Papers," vol. xix, p. 961.

back again under our power, is now pacified, and is again about to breathe under a tutelar regimen. But our paternal solicitude for our faithful subjects enjoins on us the duty of preventing, as far as depends upon us, the return of similar disasters, and to remove from the evil-intentioned the means which they have themselves laid bare to disturb henceforth the public Peace. We wish, at the same time, that our subjects of the Kingdom of Poland should enjoy all the advantages necessary to their well-being and the prosperity of their country; that the respect for persons and property, liberty of Commerce, and municipal franchise, should be maintained; that they should have a distinct Administration, in conformity with their wants, in such manner as that the Kingdom of Poland may never cease to form an integral part of our Empire, and that they may in future make with the Russians but one nation, one people of brothers.

For these purposes, we have judged it necessary to determine by an Organic Statute, promulgated under this day's date, the future organisation destined for the said Kingdom, in conformity with the intentions described above.

Given at St. Petersburgh, the $\frac{14}{26}$th February, of the year of Our Lord, 1832, and the 7th year of our reign.

NICOLAS.

The Minister Secretary of State,
COMTE ETIENNE GRABOWSKI.

(ANNEX.) ORGANIC STATUTE *of the Kingdom of Poland.—St. Petersburgh, February* $\frac{14}{26}$*th*, 1832.

No. 159.—*CONVENTION between Great Britain, France, and Russia, on the one part, and Bavaria on the other, relative to the Sovereignty of Greece. Signed at London, 7th May, 1832.**

ART. TABLE.

1. Offer of Hereditary Sovereignty of *Greece* to Prince Otho of *Bavaria*.
2. Acceptance of Hereditary Sovereignty by King of *Bavaria*.
3. Title of King of *Greece*.
4. *Greece* to form a Monarchical and Independent State, under the Guarantee of *Great Britain*, *France*, and *Russia*.
5. Limits of *Greece*.
6. King of *Greece* to be a Contracting Party to Definitive Treaty.
7. Three Courts to obtain recognition of King Otho.
8. Royal Crown to be Hereditary. Crown of *Greece* and *Bavaria* not to be united.
9. Majority of Prince Otho.
10. Regency during Minority of King of *Greece*.
11. Prince Otho to retain his Appanages in *Bavaria*, and to be assisted by King of *Bavaria*.
12. Guarantee of Loan by 3 *Powers*. Extent of Loan. Loan to be raised by Instalments. Guarantee of Interest and Sinking Fund by 3 *Powers*. Payment of Interest and Sinking Fund by *Greece*. Representatives of 3 Courts to watch over fulfilment of engagement by *Greece*.
13. Pecuniary Compensation to *Turkey* to be paid out of proceeds of Loan.
14. Bavarian Troops to be raised for King of *Greece*. Evacuation of *Greece* by Allied Troops.
15. Bavarian Officers to organize a National Military Force.
16. Regency to proceed to *Greece* without delay.
17. Declaration of 3 Courts to *Greek* Nation.
18. Ratifications.

(Translation as laid before Parliament.†)

THE Courts of Great Britain, France, and Russia, exercising the power conveyed to them by the Greek nation, to make choice of a Sovereign for Greece, raised to the rank of an Independent State, and being desirous of giving to that country a fresh proof of their friendly disposition by the election of a Prince descended from a Royal House, the friendship and alliance of which cannot fail to be of essential service to Greece, and which has already acquired claims to her esteem and gratitude, have resolved to offer the Crown of the new Greek State to the Prince Frederick Otho of Bavaria, second son of His Majesty the King of Bavaria.

* See also Treaties of 13th July, and 14th November, 1863; and 29th March, 1864.

† For French version, see "State Papers," vol. xix, p. 33.

His Majesty the King of Bavaria, on his part, acting in the character of guardian of the said Prince Otho during his minority, participating in the views of the 3 Courts, and duly appreciating the motives which have induced them to fix their choice upon a Prince of his House, has determined to accept the Crown of Greece for his second son, the Prince Frederick Otho of Bavaria.

In consequence of such acceptance, and for the purpose of agreeing upon the arrangements which it has rendered necessary, their Majesties the King of the United Kingdom of Great Britain and Ireland, the King of the French, and the Emperor of All the Russias, on the one part, and His Majesty the King of Bavaria, on the other, have named as their Plenipotentiaries, viz.:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and his Principal Secretary of State for Foreign Affairs;

His Majesty the King of the French, the Sieur Charles Maurice de Talleyrand-Perigord, Prince-Duke de Talleyrand, Peer of France, His said Majesty's Ambassador Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Christopher, Prince of Lieven, General of Infantry in his Armies, his Aide-de-Camp General, Ambassador Extraordinary and Plenipotentiary to His Britannic Majesty, &c.;—and the Sieur Adam, Count Matuszewic, Privy Councillor of His said Majesty, &c.;

And His Majesty the King of Bavaria, the Sieur Augustus, Baron de Cetto, his Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty;

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed upon and signed the following Articles:

Offer of Hereditary Sovereignty of Greece to Prince Otho of Bavaria.

Art. I. The Courts of Great Britain, France, and Russia, duly authorised for this purpose by the Greek nation, offer the hereditary Sovereignty of Greece to the Prince Frederick Otho of Bavaria, second son of His Majesty the King of Bavaria.

[Sovereignty of Greece.]

Acceptance of Hereditary Sovereignty by King of Bavaria.

ART. II. His Majesty the King of Bavaria, acting in the name of his said son, a minor, accepts, on his behalf, the hereditary Sovereignty of Greece, on the conditions hereinafter settled.

Title of King of Greece.

ART. III. The Prince Otho of Bavaria shall bear the title of King of Greece.*

Greece to form a Monarchical and Independent State, under the Guarantee of Great Britain, France, and Russia.

ART. IV. Greece, under the Sovereignty of the Prince Otho of Bavaria, and under the Guarantee of the 3 Courts, shall form a monarchical and independent State, according to the terms of the Protocol signed between the said Courts on the 3rd February, 1830 (**No. 149**), and accepted both by Greece and by the Ottoman Porte.

Limits of Greece.

ART. V. The limits of the Greek State shall be such as shall be definitively settled by the negotiations which the Courts of Great Britain, France, and Russia have recently opened with the Ottoman Porte, in execution of the Protocol of 26th of September, 1831.

King of Greece to be a Contracting Party to Definitive Treaty.

ART. VI. The 3 Courts having beforehand determined to convert the Protocol of the 3rd of February, 1830 (**No. 149**)† into a Definitive Treaty, as soon as the negotiations relative to the limits of Greece shall have terminated, and to communicate such Treaty to all the States with which they have relations, it is hereby agreed that they shall fulfil this engagement, and that His Majesty the King of Greece shall become a Contracting Party to the Treaty in question.

Three Courts to obtain recognition of King Otho.

ART. VII. The 3 Courts shall, from the present moment, use their influence to procure the recognition of the Prince Otho of Bavaria as King of Greece, by all the Sovereigns and States with whom they have relations.‡

* The title of the present King is "King of the Hellenes." See Protocols of 3rd August, and 13th October, 1863.

† See Arrangement of 21st July, 1832.

‡ See Explanatory and Supplementary Article of 30th April, 1833.

Royal Crown to be Hereditary.

ART. VIII.* The Royal Crown and dignity shall be hereditary in Greece; and shall pass to the direct and lawful descendants and heirs of the Prince Otho of Bavaria, in the order of primogeniture. In the event of the decease of the Prince Otho of Bavaria, without direct and lawful issue, the Crown of Greece shall pass to his younger brother, and to his direct and lawful descendants and heirs, in the order of primogeniture. In the event of the decease of the last-mentioned Prince also, without direct and lawful issue, the Crown of Greece shall pass to his younger brother, and to his direct and lawful descendants and heirs, in the order of primogeniture.

Crowns of Greece and Bavaria not to be united.

In no case shall the Crown of Greece and the Crown of Bavaria be united upon the same head.†

Majority of Prince Otho.

ART. IX. The majority of the Prince Otho of Bavaria, as King of Greece, is fixed at the period when he shall have completed his 20th year, that is to say, on the 1st of June, 1835.

Regency during Minority of King of Greece.

ART. X. During the minority of the Prince Otho of Bavaria, King of Greece, his rights of Sovereignty shall be exercised in their full extent, by a Regency composed of 3 Councillors, who shall be appointed by His Majesty the King of Bavaria.

Prince Otho to retain his Appanages in Bavaria, and to be assisted by King of Bavaria.

ART. XI. The Prince Otho of Bavaria shall retain the full possession of his appanages in Bavaria. His Majesty the King of Bavaria, moreover, engages to assist, as far as may be in his power, the Prince Otho in his position in Greece, until a revenue shall have been set apart for the Crown in that State.

Guarantee of Loan by 3 Powers.‡

ART. XII. In execution of the Stipulations of the Protocol of

* King Otho renounced his right of succession to the Throne of Bavaria, on the 18th March, 1836.

† See Family Compact, 1st November, 1832.

‡ See Note, page 899; Arrangement of June, 1860, and Treaty of 29th March, 1864, Art. VI.

the 20th of February, 1830, His Majesty the Emperor of All the Russias engages to guarantee, and their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of the French, engage to recommend, the former to his Parliament, and the latter to his Chambers, to enable their Majesties to guarantee, on the following conditions, a Loan to be contracted by the Prince Otho of Bavaria, as King of Greece.

Extent of Loan.

1. The principal of the Loan to be contracted under the guarantee of the 3 Powers, shall not exceed a total amount of 60,000,000 of francs.

Loan to be raised by Instalments.

2. The said Loan shall be raised by instalments of 20,000,000 of francs each.

Guarantee of Interest and Sinking Fund by 3 Powers.

3. For the present, the first instalment only shall be raised, and the 3 Courts shall each become responsible for the payment of one-third of the annual amount of the interest and sinking fund of the said instalment.

4. The second and the third instalments of the said Loan may also be raised, according to the necessities of the Greek State, after previous agreement between the 3 Courts and His Majesty the King of Greece.

5. In the event of the second and third instalments of the above-mentioned Loan being raised in consequence of such an agreement, the 3 Courts shall each become responsible for the payment of one-third of the annual amount of the interest and sinking fund of these two instalments, as well as of the first.

Payment of Interest and Sinking Fund by Greece.

6. The Sovereign of Greece and the Greek State shall be bound to appropriate to the payment of the interest and sinking fund, of such instalments of the Loan as may have been raised under the guarantee of the 3 Courts, the first revenues of the State, in such manner that the actual receipts of the Greek Treasury shall be devoted, *first of all*, to the payment of the said interest and sinking fund, and shall not be employed for any other purpose until those payments on account of the instalments of the Loan raised under the guarantee of the 3 Courts shall have been completely secured for the current year.

[Sovereignty of Greece.]

Representatives of 3 Courts to watch over fulfilment of Engagement by Greece.

The diplomatic Representatives of the 3 Courts in Greece shall be specially charged to watch over the fulfilment of the last-mentioned stipulation.

Pecuniary Compensation to Turkey to be paid out of Proceeds of Loan.

ART. XIII. In case a pecuniary compensation in favour of the Ottoman Porte should result from the negotiations which the 3 Courts have already opened at Constantinople for the definitive settlement of the limits of Greece, it is understood that the amount of such compensation shall be defrayed out of the proceeds of the Loan which forms the subject of the preceding Article.

Bavarian Troops to be raised for King of Greece. Evacuation of Greece by Allied Troops.

ART. XIV. His Majesty the King of Bavaria shall lend his assistance to the Prince Otho in raising in Bavaria a body of troops, not exceeding 3,500 men, to be employed in his service, as King of Greece, which corps shall be armed, equipped, and paid by the Greek State, and be sent thither as soon as possible, in order to relieve the troops of the Alliance hitherto stationed in Greece. The latter shall remain in that country entirely at the disposal of the Government of His Majesty the King of Greece, until the arrival of the body of troops above mentioned. Immediately upon their arrival the troops of the Alliance already referred to shall retire, and altogether evacuate the Greek territory.

Bavarian Officers to organize a National Military Force.

ART. XV. His Majesty the King of Bavaria shall also assist the Prince Otho in obtaining the services of a certain number of Bavarian officers, who shall organize a national military force in Greece.

Regency to proceed to Greece without delay.

ART. XVI. As soon as possible after the signature of the present Convention, the 3 Councillors who are to be associated with His Royal Highness the Prince Otho by His Majesty the

King of Bavaria, in order to compose the Regency of Greece, shall repair to Greece, shall enter upon the exercise of the functions of the said Regency, and shall prepare all the measures necessary for the reception of the Sovereign, who, on his part, will repair to Greece with as little delay as possible.

Declaration of 3 Courts to Greek Nation.

ART. XVII. The 3 Courts shall announce to the Greek nation, by a joint declaration, the choice which they have made of His Royal Highness Prince Otho of Bavaria, as King of Greece, and shall afford the Regency all the support in their power.

Ratifications.

ART. XVIII. The present Convention shall be ratified, and the Ratifications shall be exchanged at London in 6 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 7th May, in the year of Our Lord, 1832.

(L.S.) PALMERSTON.
(L.S.) TALLEYRAND.
(L.S.) LIEVEN.
(L.S.) MATUSZEWIC.
(L.S.) A. DE CETTO.

[An Act was passed by the German Diet, 4th October, 1832, recognising Prince Otho as King of Greece.]

[An act of Parliament was passed on the 16th August, 1832 (2 and 3 Will. IV., cap. 121), to enable His Majesty to carry out the above Convention.]

No. 160.—*BRITISH PROTEST against Russian Manifesto, respecting Poland. London, 3rd July*, 1832.

Viscount Palmerston to Lord Durham.

(Extract as laid before Parliament.)

Foreign Office, 3rd July, 1832.

It is impossible to give your Lordship instructions for your guidance without adverting to the subject of Poland.

You will find in the archives of the Embassy a record of the opinions of His Majesty's Government upon the proceedings of Russia with respect to Poland, and of the manner in which those opinions have at different times been communicated to the Russian Government. Those opinions remain unaltered. His Majesty's Government think that Russia was not justified by the Polish Insurrection in depriving the Kingdom of Poland of that Constitution which the Emperor Alexander had granted, and which the Emperor Nicholas had sworn to maintain. His Majesty's Government think that the abrogation of that Constitution was inconsistent with the true spirit and meaning of the Treaty of Vienna (**No. 27**), and that Great Britain, as a party to that Treaty, is entitled to object to that abrogation, and to Protest, as she has done against it.*

If the view which Her Majesty's Government takes of that question had been shared by Austria and Prussia, as it was by France, the representations of the 4 Powers would probably have been attended with success; but Austria and Prussia having concurred with Russia in her interpretation of the Treaty of Vienna (**No. 27**), and having approved of the changes which the Russian Government proposed to make in the Polish Constitution, it was evident that the remonstrances of Great Britain and France could not be effectual unless they had been supported by a threat of war—a threat to the execution of which so many obstacles were opposed both by the general state of Europe and by the negotiations in which, in concert with Russia, Great Britain has been, and still is, engaged.

In adverting, therefore, to the affairs of Poland, great delicacy

* See Note of 23rd November, 1831.

and caution will be required. It would be inconsistent with the power and dignity of the British Empire to insist too strongly upon points which, from the considerations stated above, it might be inexpedient, if not impossible, to enforce by arms. On the other hand, His Majesty's Government cannot be expected to see measures taken which they believe to be at variance with the true spirit of the Treaty of Vienna, and which have excited so strong a feeling in Europe, without a clear though amicable expression of their opinion upon them.

Your Lordship is, therefore, instructed to treat the abrogation of the Constitution of Poland as a measure which His Majesty's Government deeply regret, as inconsistent with the true construction of the Treaty of Vienna, and as injurious to the interests of Russia herself. You will refer at the same time to the representations already made upon this subject by Her Majesty's Ambassador at the Court of St. Petersburgh, but you will not press this matter in such a manner as, without producing any benefit to Poland, would incur the hazard of increasing the difficulties already existing on the various subjects to which your attention has been called in this despatch.

The Treaties of 1815, to which Russia was a party (not only the General Act of the Congress of Vienna, but the separate Treaty between Russia and Prussia (**No. 13**), clearly stipulate that the nationality of the Poles shall be preserved. But statements have reached His Majesty's Government which, if true, tend to show a deliberate intention on the part of the Russian Government to break down the nationality of Poland, and to deprive it of everything which, either in outward form or in real substance, gives to its people the character of a separate nation.

The abolition of the Polish Colours; the introduction of the Russian Language into public acts; the removal to Russia of the national Library, and public collections containing bequests made by individuals upon specific condition that they never should be taken out of the Kingdom of Poland; the suppression of Schools and other establishments for public instruction; the removal of a great number of Children to Russia on the pretence of educating them at the public expense; the transportation of whole families to the interior of Russia; the extent and severity of the military Conscription; the large introduction of Russians into the public employments in Poland; the interference with the National Church;—all these appear to be symptoms of a deliberate inten-

tion to obliterate the political nationality of Poland, and gradually to convert it into a Russian province.

It is evident, upon the slightest reflection, that such a project could not be accomplished. To change 4,000,000 of Poles so entirely as to impart to them the character of Russians is an attempt for the success of which it would be difficult to assign a limit, either of time or perseverance. But the endeavour would lead to a severe and continued exertion of arbitrary power, which would create a strong and general feeling against Russia, and must be regarded as a decided violation of the engagements contracted by Russia at Vienna in 1815.

Your Lordship will endeavour to obtain accurate information as to what is true on these points, and if you should find that the reports which have reached His Majesty's Government are well founded, you will take every favourable opportunity of urging the Russian Government, on the part of His Majesty, with the earnestness, and at the same time with the freedom of a sincere friend, to adopt a milder and juster system; founding yourself upon the Treaty of Vienna, as the basis upon which rests the right of His Majesty to interpose this expression of his feelings on the affairs of Poland.

It is unnecessary to remind your Lordship that it is of great importance, not only for the accomplishment of the various objects pointed out in these instructions, but also for the permanent interests of Great Britain, to cultivate and to increase, if possible, the friendly relations now so happily subsisting between this country and Russia. Your Lordship, therefore, will use your discretion as to the manner of pressing the various topics to which I have adverted, so as to produce the greatest possible effect, giving, at the same time, the least possible offence; and your Lordship will omit no proper opportunity of assuring the Emperor of the sincere and cordial friendship which His Majesty entertains for His Imperial Majesty, and of declaring His Majesty's desire to maintain, and, if possible, to draw closer the bonds of alliance which connect two Powers whose union must have so salutary an effect in preserving the Peace of the World.

PALMERSTON.

The Earl of Durham.

No. 161.—*ARRANGEMENT between Great Britain, France, Russia, and Turkey, for the Definitive Settlement of the Continental Limits of Greece. Signed at Constantinople, 21st July, 1832.**

ART. TABLE.

Preamble.
1. New Boundary.
2. Indemnity to *Turkey*.
3. Appointment of Boundary Commissioners.
4. Payment of Indemnity.
5. Turkish Evacuation of Greek Territories.
6. Passage of Greek Vessels through the *Gulf* of *Arta*.
7. Permission to Individuals to quit Ceded Territories and to sell their Estates. Similar Privileges to Inhabitants of *Eubea* and *Attica* and Proprietors of *Thebes*.
8. Appointment of Commercial Agents. Definitive Settlement of Greek Question. Confirmation of Arrangement to have same Force as a Ratification.

(Translation.†)

THE Representatives of the 3 Powers, parties to the Treaty of London, of the 6th of July, 1827 (**No. 136**), namely, the Right Honourable Sir Stratford Canning, Ambassador Extraordinary and Plenipotentiary of His Britannic Majesty, on a special mission to the Ottoman Sublime Porte; the Sieur Appolinaire Bouteneff, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of All the Russias; and the Sieur Jacques Edouard, Baron Burignot de Varenne, Chargé d'Affaires of His Majesty the King of the French,—having made known to the Sublime Ottoman Porte the changes which it was necessary to make in the Frontier of Greece, and having communicated to it the object of the instructions, and of the powers with which they were furnished, to propose to it a Definitive Boundary line, upon condition of compensating, by an equitable indemnity, the losses which might result therefrom:—the Sublime Porte, animated with the desire of consolidating the arrangements to which, out of consideration of the 3 Allied Courts, and relying on their sincere

* Affirmed by the Conference of London, in its 52nd Protocol of 30th August, 1832. See also Act of 21st February, 1833; and Treaties of 13th July, and 14th November, 1863; and 29th March, 1864.

† For French version, see "State Papers," vol. xxii, p. 934.

intentions, it had previously agreed, has consented to enter upon a negotiation for this purpose, and has charged therewith two of its Ministers, namely, His Excellency Mustapha Behdjet Effendi, Ex-Cazesker of Roumelia, at the present time First Physician of His Highness, and His Excellency Elhadj Mehemed Akif Effendi, present Reis Effendi.

The above-mentioned Plenipotentiaries, filled with the sentiments of their respective Governments, and having no other object in view than that of terminating the Greek Affair in a way that shall be durable, and calculated to prevent all further discussion on this question, have met several times for this salutary purpose; and the complete result of their conferences has been recorded in the present document, exchanged between the Parties as the instrument of their final transaction.

*New Boundary.**

It was agreed that:—

Art. I. With respect to Boundary:—On the eastern side, the extreme point of separation of the two States shall be fixed at the mouth of the little River which flows near the Village of Gradiza. The Frontier line shall ascend this River to its source, shall thence reach the chain of Mount Othryx, leaving to Greece the Passage of the Klomo, provided the crest of that chain be not passed: thence it shall follow, in a westerly direction, the crest of the same chain along the whole extent thereof, and especially the Peak of Varibovo, in order to attain the height which, under the denomination of Veluchi, forms the point of connection of the three great chains of mountains of the country. From this height the line shall continue, adapting itself as much as possible to the salient features of the country, across the Valley of the Aspropotamos to the Gulf of Arta, terminating at that Gulf between Coprina and Menidi, in such manner as that in any case the Bridge of Tartarina, the Defile and the Tower of Macrinoros shall be comprised within the Limits of Greece, and that the Bridge of Coracos and the Salt Springs of Coprina shall be left to the Ottoman Porte. Thus, the shore of the Gulf of Arta to the north and west of the point where the Boundary line meets its waters, will be retained by the Ottoman Empire; and the shore of this Gulf to the south and west of the line is assigned to the State of Greece, with the exception of the Fort of Punta, which will con-

* See Map facing page 908.

tinue to belong to the Porte, with a radius of Territory which shall not be less than half-an-hour, nor more than an hour.

Nevertheless, as the Representatives, full of deference for the wish which has been expressed in the name of His Highness, relative to the portion of the district of Zeitoun, situate to the left of the Sperchius, have agreed that reference should be made on the subject to the Conference of London, upon the express condition that the decision and execution of the measures consequent thereupon should not be retarded thereby; it has become necessary to provide for the contingency of that portion of the Territory of Zeitoun remaining to the Ottoman Empire.

The Boundary line to the east will in that case commence at the mouth of the River Sperchius, and will run up its left Bank to the point of contact of the districts of Zeitoun and of Patradjik; thence it will reach the summit of the chain of the Othryx, following the common Boundary of those two districts, and the most direct line, in the event of that common Boundary not attaining the summit of the chain of the Othryx.

It will continue in the manner before mentioned, in order to terminate at the Gulf of Arta.

Indemnity to Turkey.

ART. II. With respect to the Indemnity, it remains fixed at the sum of 40,000,000 of Turkish piastres, provided the portions of the district of Zeitoun, situate to the left of the River Sperchius shall have been, in consequence of the decision of the Conference of London, definitively assigned to the Greek State.

If, on the other hand, in consequence of the decision of the Conference of London, those portions of the district of Zeitoun are to continue to belong to the Ottoman Empire, the indemnity which the Porte will receive remains fixed at the sum of 30,000,000 of Turkish piastres.

Appointment of Boundary Commissioners.

ART. III. The Commissioners of the 3 Courts shall immediately proceed to the marking out of the Boundary now settled. A Commissioner shall be appointed by the Sublime Porte to join in the labours of this Demarcation. It is clearly understood that no delay shall arise in this operation, whether from the absence of one or two of the Commissioners or from any other cause. A Commissioner appointed by the Greek Government may co-operate in the same labours, which should be completed in the

space of 6 months, dating from this day. In case of difference of opinion between the Commissioners, the question shall be equitably resolved by a majority of voices.*

Payment of Indemnity.

ART. IV. The Indemnity which is due to the Sublime Porte in virtue of the present Arrangement, shall be paid on the 31st of December of the present year, on which day, in conformity with the following Article, all the Territories, without exception, which are to constitute Greece shall be evacuated, if not sooner, by the troops and authorities of the Sublime Porte. This payment shall be effected at Constantinople on the 1st of December, 1832, at the rate of exchange of the day of the signing of this instrument, by drafts on London, Paris, Vienna, or Petersburgh; and the Porte shall be officially informed on this matter on the arrival of the formal confirmation of this transaction.

Turkish Evacuation of Greek Territories.

ART. V. On the 31st of December of the present year, or sooner if possible, the Territories which form the object of the present Arrangement shall be entirely evacuated by the Ottoman troops and Authorities. With respect to the Territories previously assigned to Greece, and which are still occupied by the Sublime Porte, they also shall be evacuated within the same period, so that on the day specified, the evacuation of all the Territories, without exception, which are to constitute Greece, shall have been in every instance completely effected.

Passage of Greek Vessels through the Gulf of Arta.

ART. VI. The Fort of Punta, as has been said above, being intended to remain to the Porte to complete the means of defence of Prevesa, and in order the better to secure the safety of its commerce, there shall only be permitted therein a garrison sufficient for the occupation of that post. It is understood that the Ottoman Authorities will not oppose any obstacle to the passage of Greek Vessels; and, excepting Customs dues and other imposts which would be due to the Sublime Porte in cases where Vessels may put into Punta, Prevesa, or other Turkish ports of the Gulf of Arta, the Authorities shall demand nothing for the passage.

* The Commissioners were: for Great Britain, Lieut.-Col. G. Baker; for France, Lieut.-Col. J. Barthélemy; and for Russia, Col. A. Scalon. See Map, facing p. 908.

Permission to Individuals to quit Ceded Territories and to sell their Estates.

ART. VII. A term of 18 months, dating from the day on which the labours of the Demarcation shall have been completed, is accorded to such individuals as may desire to quit the Territories which form the object of the present Arrangement, and to sell their estates. This term of 18 months may, in special cases, and under unforeseen circumstances, be prolonged some months, and a Commission of Arbitration shall determine on the validity of these cases for exception, and shall assist in causing the sales to be effected at a fair price.

Similar Privileges to Inhabitants of Eubea and Attica, and Proprietors of Thebes.

The same advantages are accorded to the inhabitants of the Island of Eubea and of Attica, and to the Proprietors of Thebes, who would at the present day be in the receipt of their rightful revenues if that district were occupied by the Ottoman troops at the date of the assent of the Porte to the preceding arrangements of the 3rd of February, 1830 (**No. 149**).

It is understood that these individuals will alike be allowed to dispose, and within the same period, of any beneficial interest which they may have, either as tenants, or as hereditary administrators, in the *Vacoufs*, the whole of which is transferred to the Greek State.

Appointment of Commercial Agents.

ART. VIII. In conformity with the preceding stipulations, the Government of the new King of Greece will have the power of entering into negotiation for the purpose of regulating its relations of commerce and navigation with the Sublime Porte on a principle of reciprocity; and Agents duly accredited on either side shall be received in the Ports of Turkey and Greece, according to the usual forms, so that Ottoman subjects shall have an acknowledged right to traffic at their will in the State of Greece, and that, on their side, the Greeks shall cease to have recourse to foreign protection to frequent the Ports and Trading Towns of the Ottoman Empire.

Definitive Settlement of Greek Question.

The undersigned Plenipotentiaries of the 3 Courts, and those

of the Sublime Porte, having brought to a close the Conferences which they have held for the purpose of effecting the Definitive Settlement of the Boundary of Greece, as above described, declare that, considering the arrangements recorded by common agreement in the present instrument, the object of the Treaty of London of the 6th July, 1827 (**No. 136**), and of the Protocols under different dates which relate thereto, is completely attained; that the prolonged negotiations to which those stipulations have given rise, are terminated in such a manner as never to be renewed; in fact, that the Greek Question is irrevocably settled.

Confirmation of Arrangement to have same force as a Ratification.

The final Confirmation of the present Final Arrangement by the 3 August Courts shall be transmitted to the Sublime Porte within the period of 4 months, dating from this day; and that Confirmation shall have, with respect to this Act, all the force of a Ratification.

Done at Constantinople, the $\frac{9\text{th}}{21\text{st}}$ July, 1832 (the 23rd of the month Safer, 1248 of the Hegira).

(L.S.) STRATFORD CANNING.
(L.S.) A. BOUTENEFF.
(L.S.) E. B. VARENNE.

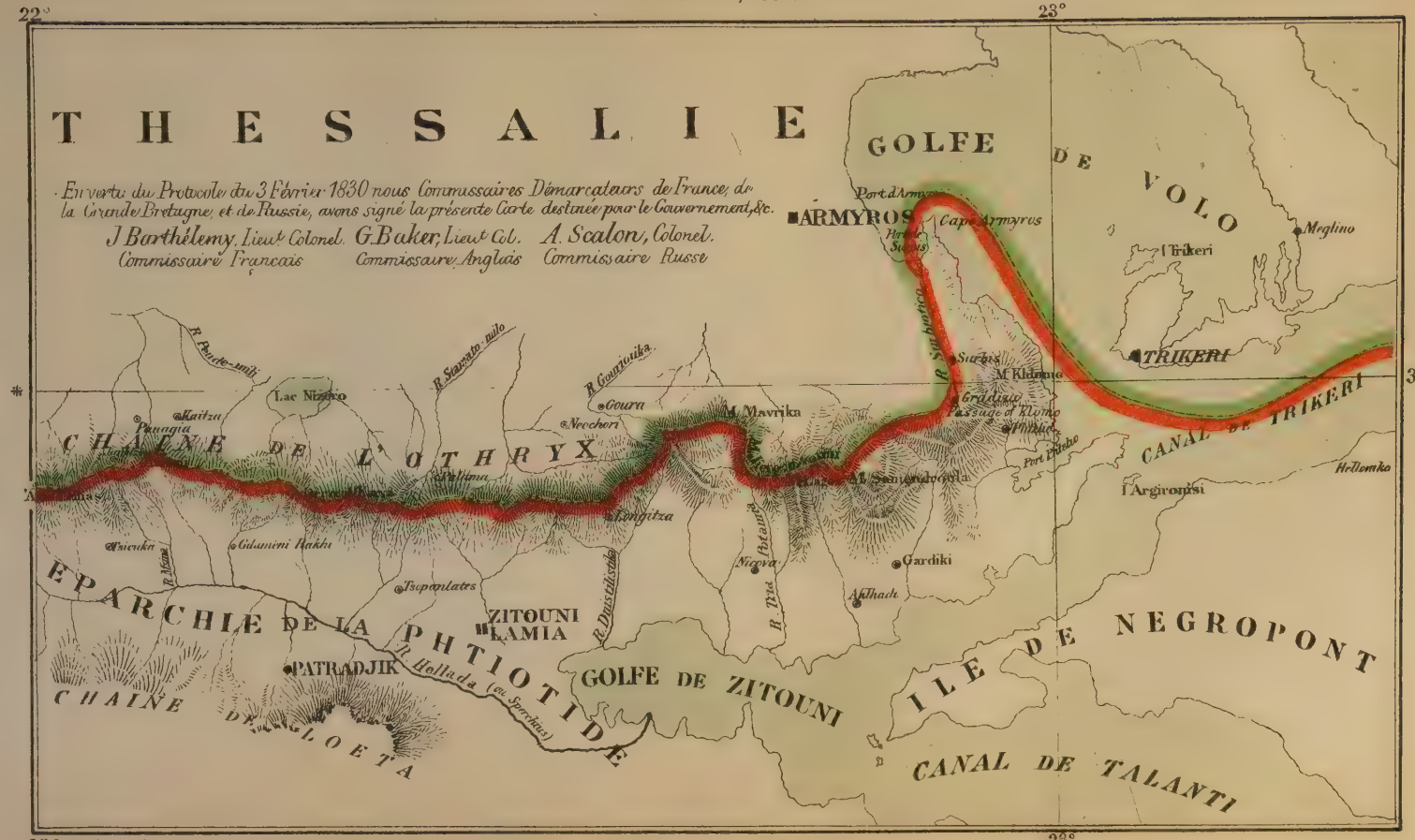
[A Copy, corresponding with the Original, signed by the 3 Representatives, and exchanged for a Turkish Version, was also signed by the Ottoman Ministers.]

MAP OF THE BOUNDARY
BETWEEN
GREECE & TURKEY.
1832.

MAP SHEWING THE BOUNDARY BETWEEN GREECE & TURKEY.
21 JULY, 1832.

MAP SHEWING THE BOUNDARY BETWEEN GREECE & TURKEY.

21 JULY, 1832.



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MAP OF THE BOUNDARY
BETWEEN
GREECE & TURKEY.
1832.

No. 162.—*CONVENTION between Great Britain and France, relative to the Netherlands.* Signed in London, 22nd October*, 1832.

ART. TABLE.

Preamble. Reference to Treaty of 15th November, 1831.
1. Withdrawal of *Netherlands* Troops from *Belgium* and of *Belgian* Troops from *Netherlands* Territory.
2. Embargo on *Dutch* Vessels in case of Refusal to Evacuate.
3. French Troops to compel Evacuation of *Belgian* Territory.
4. French Troops to retire on Evacuation of *Belgian* Territory by *Dutch* Troops.
5. Ratifications.

(English Version.†)

Reference to Treaty of 15th November, 1831.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, having been called upon by His Majesty the King of the Belgians to carry into execution the stipulations of the Treaty relative to the Netherlands, concluded at London, on the 15th of November, 1831 (**No. 153**), the execution whereof, by the terms of Article XXV of the said Treaty, has been jointly guaranteed by their said Majesties, and by their Majesties the Emperor of Austria, the King of Prussia, and the Emperor of Russia:

Having besides perceived that all the efforts made in common by the 5 Powers, Parties to the said Treaty, to accomplish its execution by means of Negotiation, have been, up to the present time, ineffectual:

Being moreover convinced that any further delay in the execution of the same would seriously endanger the general Peace of Europe, their said Majesties, notwithstanding the regret which they experience at finding that their Majesties the Emperor of Austria, the King of Prussia, and the Emperor of Russia, are not, at present, prepared to concur in the active measures which are requisite for the execution of the said Treaty, have resolved to fulfil their own engagements in this respect without further delay; and it is with the view of arriving at that end, by immediately concerting the measures best calculated for that purpose, that

* See also Convention of 21st May, 1833.

† For French Version, see "State Papers," vol. xix, p. 258.

their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of the French, have named as their Plenipotentiaries, viz.:

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and his Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the King of the French, the Sieur Charles Maurice de Talleyrand-Périgord, Prince-Duke de Talleyrand, a Peer of France, His said Majesty's Ambassador Extraordinary and Plenipotentiary at the Court of His Britannic Majesty, &c.;

Who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

Withdrawal of Netherlands Troops from Belgium, and of Belgian Troops from Netherlands Territory.

ART. I. His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, will notify to His Majesty the King of the Netherlands, and to His Majesty the King of the Belgians, respectively, that it is their intention to proceed forthwith to carry into execution the said Treaty of the 15th of November, 1831 (**No. 153**), in conformity with the engagements thereby contracted by them: and, as a first step towards the accomplishment of that purpose, their said Majesties will require His Majesty the King of the Netherlands to enter, on or before the 2nd day of the next ensuing month of November, into an engagement to withdraw, on or before the 12th day of the same month of November, all his Troops from the Territories which, by Articles I and II of the said Treaty, are to form the Kingdom of Belgium, of which Kingdom the High Contracting Parties to that Treaty have guaranteed the Independence and Neutrality: and their said Majesties will also require His Majesty the King of the Belgians to enter, on or before the 2nd day of the ensuing month of November, into an engagement to withdraw, on or before the 12th day of the same month, all his Troops from the Territories of His Majesty the King of the Netherlands; so that after the 12th day of November next there shall be no Netherland Troops

within the limits of the Kingdom of Belgium, and no Belgian Troops within the Territories of the King of the Netherlands; and their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of the French, will, at the same time, declare to the King of the Netherlands, and to the King of the Belgians respectively, that if this requisition shall not be complied with, their said Majesties will proceed, without further notice or delay, to take such measures as may appear to them necessary for enforcing the same.

*Embargo on Dutch Vessels in case of refusal to Evacuate.**

ART. II. If the King of the Netherlands shall refuse to enter into the engagement mentioned in the foregoing Article, their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of the French, will immediately cause an Embargo to be laid upon all Netherland Vessels within the ports of their respective dominions, and will order their respective cruizers to detain and send in all Netherland Vessels which they may meet with at sea; and a combined British and French squadron shall be stationed off the Coast of Holland, for the more effectual execution of this measure.

French Troops to compel Evacuation of Belgian Territory.

ART. III. If on the 15th of November next ensuing, the Netherland troops should still continue within the Belgian territory, a French force shall advance into Belgium for the purpose of compelling the Netherland troops to evacuate the said Territories, provided that the King of the Belgians shall have previously signified his wish for the entrance of such French force into his Dominions for the aforesaid purpose.

French Troops to retire on Evacuation of Belgian Territory by Dutch Troops.

ART. IV. If the measure contemplated in the preceding Article shall become necessary, its object shall be confined to the expulsion of the Netherland troops from the Citadel of Antwerp, and from the Forts and places dependent thereupon; and His Majesty the

* Orders in Council were issued on the 6th November and 3rd December, 1832, laying an Embargo on Netherland vessels in British ports; which Embargo was removed on the 29th May, 1833. See Convention of 21st May, 1833.

King of the French, in his lively solicitude for the Independence of Belgium, as well as for that of all established Governments, expressly engages that the French troops which may be employed in such service, shall not occupy any of the fortified places of the Kingdom of Belgium; that when the Citadel of Antwerp, and the Forts and places dependent thereupon, shall have surrendered, or shall have been taken, or shall have been evacuated by the Netherland troops, they shall be immediately delivered over to the Military Authorities of the King of the Belgians; and that the French troops shall thereupon forthwith retire within the French Territories.

Ratifications.

ART. V. The present Convention shall be ratified, and the Ratifications shall be exchanged at London, in the space of 8 days from the date hereof, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 22nd day of October, in the year of Our Lord, 1832.

(L.S.) PALMERSTON.
(L.S.) TALLEYRAND.

No. 163.—*FAMILY COMPACT between Bavaria and Greece. Signed at Munich, 1st November, 1832.**

ART. TABLE.

Preamble.
1. Peace and friendship.
2. Defensive Alliance.
3. Mutual guarantee of Sovereignty over respective States.
4. Assistance to be afforded in case of attack by a Foreign Power.
5. Extent of Federative assistance to be decided on signature of principal Treaty.
6. *Bavarian* Troops to replace Foreign Troops in *Greece*.
7. Period which *Bavarian* Troops are to remain in *Greece*.
8. to 10. Payment, entertainment, and enlistment of *Bavarian* Troops.
11. Commerce. Most favoured nation Treatment. Consular Protection to respective subjects.
12. Duration of Treaty. Ratifications.

(Translation.†)

In the name of the Most Holy Trinity.

His Majesty the King of Bavaria and His Majesty the King of Greece, wishing, on the accession for ever memorable of the latter of those Sovereigns, to draw closer and perpetuate the ties of consanguinity already existing between them, and whereby a mutual affection still more increases the intimacy, and to make known that fact by an authentic and solemn engagement, which at the period of the majority of His Majesty the King of Greece, shall be converted into a Family Pact for his Dynasty, in order to consolidate on immutable bases the agreement which, thanks to the Divine protection, shall irrevocably unite in Bavaria and in Greece the two branches of the Sovereign line of the same Royal House, have, in order to attain the desired end, appointed the following Plenipotentiaries, namely :—

His Majesty the King of Bavaria, Baron Auguste de Gise, Councillor of State and Minister of State of the Royal House and of Foreign Affairs, &c., and the Sieur Philippe de Flad, Intimate Councillor of Legation, &c., on the one part;

* The King of Greece renounced his right of succession to the Throne of Bavaria, on the 18th November, 1836.

† For French version see "State Papers," vol. xx, p. 733.

And His Majesty the King of Greece, Charles d'Abel, Deputy of Regency of the Kingdom, and intimate Councillor of Legation, &c., on the other part;

Who, after the respective exchanges of their Full Powers, have concluded and signed the following Articles:—

Arts. I to XII. (See Table.)

In testimony whereof the respective Plenipotentiaries have signed it and have affixed thereto the Seal of their Arms.

Done at Munich, 1st November, 1832.

(L.S.) CHARLES D'ABEL.
(L.S.) BARON DE GISE.
(L.S.) DE FLAD.

No. 164.—*CONVENTION between Belgium and France, relative to the entrance of a French Army into Belgium. Signed at Brussels, 10th November, 1832.*

ART. TABLE.

Preamble. Reference to Treaty of 15th November, 1831.

1. *French* Army not to occupy any of the strongholds of the Kingdom of *Belgium*.
2. *Belgian* Troops to give up to *French* Army all the Posts round the Citadel and Forts on both banks of the *Scheldt*.
3. *Belgian* garrison to occupy the Town of *Antwerp*, and not to take part in attack on Citadel and Forts occupied by the *Dutch*.
4. Position to be assigned to *Belgian* Army.
5. Fortress of *Antwerp* to be delivered over to *Belgian* Troops on *Dutch* evacuation.
6. *Belgian* Army to abstain from all aggression.
7. *Dutch* aggression on *Belgium* to be repelled by combined *French* and *Belgian* Armies.
8. Ratifications.

(Translation.*)

Reference to Treaty of 15th November, 1831.

His Majesty the King of the French having determined, at the request of His Majesty the King of the Belgians, to send an Army into Belgium, with the view of bringing about the evacuation of the Citadel of Antwerp and of the Forts and Places belonging thereto, in conformity with the stipulations of the Treaty of the 15th November, 1831 (**No. 153**), whereof the 5 Powers represented at the Conference of London, guaranteed the execution, their Majesties recognising the necessity of regulating, by a Special Convention, everything connected therewith, have appointed as their Plenipotentiaries, namely :—

His Majesty the King of the French, the Sieur Armand Charles Septime, Count de la Tour Maubourg, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

And His Majesty the King of the Belgians, the Sieur Albert Goblet, his Minister of State, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed to and signed the following Articles :—

ARTS. I to VIII. (See Table.)

* For French version see "State Papers," vol. xix, p. 1417.

In testimony whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done at Brussels, 10th November, 1832.

(L.S.) COUNT DE LA TOUR MAUBOURG.
(L.S.) GOBLET.

[The Citadel of Antwerp capitulated on the 23rd December, 1832.]

No. 165.—*ACT of the Regency of Greece, declaring the Incorporation within the Kingdom of the Territories assigned to Greece by the Treaty of 21st July, 1832 (Attica, Eubœa, Zeitoun, &c.). Nauplia, 21st February, 1833.*

(Translation.*)

Otho, by the Grace of God, King of Greece, make known to all whom it may concern, the Treaty concluded at Constantinople on the $\frac{9th}{21st}$ July, 1832 (**No. 161**), between the Plenipotentiaries of the 3 Allied Powers, France, Great Britain, and Russia, on the one part, and the Ottoman Porte on the other part, which Treaty was approved by the Conference of London, in its 52nd Protocol of the 30th August of the same year, and the demarcation of the Frontiers made by the Commissioners of the 3 Allied Powers in the months of September, October, and November of last year, in conformity with that Treaty, having definitively fixed the Frontiers of the Kingdom of Greece, and the Evacuation of the Provinces situated on this side of those Frontiers, and which, until now, have still been administered by the Ottoman Authorities, and occupied by Ottoman Troops, and ought to have been effected at the latest on the 31st December last, We have resolved, in conformity with the rights which we have acquired by Articles IV and V of the Treaty of London, of 7th May, 1832 (**No. 159**), to take possession of the said Territories, namely: Attica, Eubœa, the District of Zeitoun, and all the other Districts situated between the Gulfs of Arta and Volo, as well as all their Appurtenances and Dependencies, such as they have been incorporated with the Rights of full Sovereignty of the Kingdom of Greece, by the Treaty of Constantinople of the $\frac{9th}{21st}$ July, 1832 (**No. 161**), and the Act of Demarcation of the Limits above mentioned.

We therefore take possession thereof, and expect from all the Inhabitants and Subjects of those countries that they will recognise Us as their King and Legitimate Sovereign, and that they will behave towards Us, in all respects, as Loyal and Faithful

* For French version, see "State Papers," vol. xxii, p. 963.

Subjects, and We will take the Oath of fidelity whenever we may be called upon to do so.

We, on our part, promise to protect and maintain their Liberties and their legitimate Rights, and to devote all our care in forwarding and securing their prosperity.

We promise at the same time faithfully to fulfil the obligations imposed upon us by the Treaty of Constantinople of the $\frac{9\text{th}}{21\text{st}}$ July, 1832 (**No. 161**), and the 52nd Protocol of the Conference of London of the 30th August last; and not only not to put any impediment in the cases foreseen in the said Treaty to the emigration and to the sale of the goods of those Inhabitants and Proprietors of lands of the Provinces and Districts herein named, who might wish to leave the Country and sell their goods legitimately obtained, but to facilitate their doing so; and We ensure also to the Inhabitants professing the Mahometan Faith, and who might wish to continue to reside in Our Kingdom, the same Protection and Liberty of Conscience as are enjoyed by all Our other Subjects, of whatever Religion they may be.

We have deputed the Sieur Rigo, Our Secretary of State in the Department of Religion and Public Instruction, to take possession of the Provinces and Districts above mentioned, and We expect from all the Inhabitants, that they will submit, as good Subjects, to the Ordinances which he will issue in Our Name.

In testimony whereof We have signed the Present and have affixed Our Royal Seal.

Done in Our Residence of Nauplia, the $\frac{9\text{th}}{21\text{st}}$ February, 1833, in the Name of the King.

The Regency: LE COMTE D'ARMANSPERG, President.
DE MAUER.
CH. DE HEIDECK.

No. 166.—*EXPLANATORY and SUPPLEMENTARY ARTICLE to the Convention between Great Britain, Bavaria, France, and Russia, relative to the Sovereignty of Greece. Signed at London, 30th April, 1833.*

TABLE.

1. Succession to Throne.
2. Females excluded from Succession, except under certain Circumstances.
3. Male descendants of a Female Sovereign to succeed to Throne.
4. Ratifications.

(Translation as laid before Parliament.*)

§ 1. THE Courts of Great Britain, Bavaria, France, and Russia, acknowledging the advantage of more exactly defining the sense, and of completing the arrangements of Article VIII of the Convention signed between the said Courts at London, on the 7th May, 1832 (**No. 159**), have agreed as follows:—

Succession to Throne.

§ 2. *Single Article.* The Succession to the Royal Crown and Dignity in Greece, in the line of the Prince Otho of Bavaria, King of Greece, as also in the lines of his younger Brothers the Princes Luitpold and Adalbert of Bavaria, which lines were contingently substituted for that of the said Prince Otho of Bavaria, by Article VIII of the Convention of London of the 7th May, 1832 (**No. 159**), shall take place from *male to male*, in the order of primogeniture.

Females Excluded from Succession except under certain Circumstances.

Females shall not be capable of Succeeding to the Crown of Greece, except in the event of the entire failure of Legitimate Male Heirs in all the 3 above-mentioned Branches of the House of Bavaria; and it is understood that, in such case, the Royal Crown and Dignity in Greece shall pass to that Princess, or to the Legitimate Descendants of that Princess, who, in the order of Succession, shall be the nearest to the last King of Greece.

* For French version, see "State Papers," vol. xx, p. 281.

Male Descendants of a Female Sovereign to Succeed to Throne.

If the Crown of Greece shall devolve upon a Female, her Legitimate Male Descendants shall, in their turn, be preferred to Females, and shall ascend the Throne of Greece in the order of primogeniture. In no case shall the Crown of Greece be united on the same head with the Crown of any foreign country.

Ratifications.

The present Explanatory and Supplementary Article shall have the same force and validity as if it were inserted word for word in the Convention of the 7th May, 1832. It shall be ratified, and the Ratifications thereof shall be exchanged as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 30th day of April, in the year of Our Lord, 1833.

(L.S.) A. DE CETTO.
(L.S.) PALMERSTON.
(L.S.) TALLEYRAND.
(L.S.) LIEVEN.

No. 167.—*CONVENTION between Great Britain, France, and the Netherlands, for the Re-establishment of Friendly Relations. Signed at London, 21st May, 1833.*

ART. TABLE.

Preamble. Re-establishment of Friendly Relations.
1. Removal of Embargo on *Dutch* Vessels. Measures against *English* and *French* Flags to be revoked.
2. *Dutch* Troops detained in *France* to return to their Country, with their Arms, &c.
3. Free Navigation of the *Scheldt* during Negotiations.
4. Navigation of the *Meuse*. Free communications with Fortress of *Maestricht*.
5. Invitation to *Austria*, *Prussia*, and *Russia* to assist in settling Definitive Treaty.
6. Ratifications.

Explanatory Article.

Luxemburg and part of *Limburg* comprehended in Provisions of Treaty. Navigation of the *Scheldt*.

(Translation as laid before Parliament.*)

Re-establishment of Friendly Relations.

THEIR Majesties the King of the United Kingdom of Great Britain and Ireland, the King of the French, and the King of the Netherlands, Grand Duke of Luxemburg, being desirous of re-establishing the relations between them as they existed before the month of November, 1832, have for that purpose resolved to conclude a Convention, and have named as their Plenipotentiaries, viz.:

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honourable Privy Council, and his Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the King of the French, the Sieur Charles Maurice de Talleyrand-Perigord, Prince-Duke de Talleyrand, a Peer of France, Ambassador Extraordinary and Minister Plenipotentiary from His said Majesty to His Britannic Majesty, &c.;

And His Majesty the King of the Netherlands, the Sieur Solomon Dedel, Commander of the Order of the Lion of The Netherlands;

* For French version, see "State Papers," vol. xx, p. 282.

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles:

Removal of Embargo on Dutch Vessels.

ART. I. Immediately after the exchange of the Ratifications of the present Convention, their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of the French, will take off the Embargo* which they have placed upon the Ships, Vessels, and Goods belonging to the Subjects of His Majesty the King of the Netherlands; and all the vessels detained, together with their cargoes, shall be immediately released, and restored to their respective owners.

Measures against English and French Flags to be Revoked.

In like manner, His Majesty the King of The Netherlands will revoke the measures taken in his States, with respect to the English and French Flags.

Dutch Troops Detained in France to Return to their Country, with their Arms, &c.

ART. II. At the same period, the Netherland Troops, both of the Royal Navy and Army, at present detained in France, shall return to the States of His Majesty the King of the Netherlands, with their Arms, Baggage, Carriages, Horses, and other effects belonging either to the Corps or to Individuals.

Free Navigation of the Scheldt during Negotiation.†

ART. III. So long as the relations between Holland and Belgium shall not be settled by a Definitive Treaty, His Netherland Majesty engages not to re-commence hostilities against Belgium, and to leave the Navigation of the Scheldt entirely Free.

Navigation of the Meuse.

ART. IV. Immediately after the exchange of the Ratifications of the present Convention, the Navigation of the Meuse shall be opened to commerce; and until a definite arrangement be made in this respect, it shall be subjected to the provisions of the Convention signed at Mayence the 31st of March, 1831 (**No. 151**), for the Navigation of the Rhine, so far as those provisions may be applicable to the said River.

* See Note, page 911, and Convention of 22nd October, 1832.

† See Explanatory Article, page 923.

Free Communications with Fortress of Maestricht.

The Communications between the Fortress of Maestricht and the Frontier of North Brabant, and between the said Fortress and Germany, shall be free and without impediment.

Invitation to Austria, Prussia, and Russia to assist in settling Definitive Treaty.

ART. V. The High Contracting Parties engage to occupy themselves without delay, about the Definitive Treaty which is to fix the Relations between the States of His Majesty the King of the Netherlands, Grand Duke of Luxemburg, and Belgium. They will invite the Courts of Austria, Prussia, and Russia, to become Parties thereto.

Ratifications.

ART. VI. The present Convention shall be ratified, and the Ratifications shall be exchanged at London in 10 days, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 21st day of May, in the year of Our Lord, 1833.

(L.S.) PALMERSTON.
(L.S.) TALLEYRAND.
(L.S.) DEDEL.

EXPLANATORY ARTICLE.

Luxemburg and part of Limburg comprehended in Provisions of Treaty.

IT is agreed between the High Contracting Parties, that the Stipulation relative to the complete Cessation of Hostilities, contained in Article III of the Convention of this day, comprehends the Grand Duchy of Luxemburg, and that part of Limburg which is provisionally occupied by the Belgian Troops.

Navigation of the Scheldt.

It is, moreover, understood, that until the conclusion of the Definitive Treaty, of which mention is made in the said Article III of the Convention of this day, the Navigation of the Scheldt

shall take place on the same footing as before the 1st of November, 1832.

The present Explanatory Article shall have the same force and validity, as if it were inserted word for word in the Convention of this day. It shall be ratified, and the Ratifications shall be exchanged at the same time as those of the said Convention.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 21st day of May, in the year of Our Lord, 1833.

(L.S.) PALMERSTON.
(L.S.) TALLEYRAND.
(L.S.) DEDEL.

[Belgium acceded to the above Convention in a Note addressed to the Plenipotentiaries on the 10th June, 1833.]

No. 168.—*TREATY of Defensive Alliance between Russia and Turkey. Signed at Constantinople, 8th July, 1833.**

ART. TABLE.

Preamble.
1. Peace, Amity, and Alliance.
2. Confirmation of Treaties.
3. Maintenance by *Russia* of Independence of *Turkey*.
4. Land and Sea Forces to be maintained by the Power requesting Assistance.
5. Duration of Treaty.
6. Ratifications.

Separate Article.

Strait of the *Daraanelles* to be closed to Foreign Ships of War during War between *Russia* and any other Foreign Power.

(Translation as laid before Parliament.†)

In the name of Almighty God.

His Imperial Majesty, the Most High and Most Mighty Emperor and Autocrat of All the Russias, and His Highness the Most High and Most Mighty Emperor of the Ottomans, being equally animated with the sincere desire of maintaining the system of peace and good harmony happily established between the two Empires, have resolved to extend and strengthen the perfect friendship and confidence which reign between them by the conclusion of a Treaty of Defensive Alliance.

Their Majesties have accordingly chosen and named as their Plenipotentiaries; that is to say:

His Majesty the Emperor of All the Russias, the Most Excellent and Most Honorable Alexis, Count Orloff, his Extraordinary Ambassador at the Sublime Ottoman Porte, and the Most Excellent and Most Honorable Apollinaire Bouténeff, his Envoy Extraordinary and Minister Plenipotentiary at the Sublime Ottoman Porte, &c.;

And His Highness the Sultan of the Ottomans, the Most Illustrious and Most Excellent, the Most Ancient of his Viziers, Hosrew Mehemet Pasha, Seraskier, Commander-in-Chief of the Regular Troops of the Line, and Governor-General of Constantinople, &c., and the Most Excellent and Most Honorable Ferzi Akhmet Pasha, Mouchir and Commander of the Guard of His

* Modified by Treaty of 29th January, 1834. See also Treaties of 30th March, 1856, and 13th March, 1871.

† For French version, see "State Papers," vol. xx, p. 1176.

Highness, &c., and the Most Excellent and Most Honorable Hadgi Mehmet Akiff Reis Effendi, actual Reis Effendi, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Peace, Amity, and Alliance.

ART. I. There shall be for ever Peace, Amity, and Alliance between His Majesty the Emperor of All the Russias and His Majesty the Emperor of the Ottomans, their Empires and their Subjects, as well by land as by sea. This Alliance having solely for its object the common defence of their dominions against all attack, their Majesties engage to come to an unreserved understanding with each other upon all the matters which concern their respective tranquillity and safety, and to afford to each other mutually for this purpose substantial aid, and the most efficacious assistance.

Confirmation of Treaties.

ART. II. The Treaty of Peace concluded at Adrianople on the $\frac{2nd}{14th}$ September, 1829 (**No. 145**), as well as all the other Treaties comprised therein, as also the Convention signed at St. Petersburgh on the $\frac{14th}{26th}$ April, 1830* and the Arrangement relating to Greece, concluded at Constantinople on the $\frac{9th}{21st}$ July, 1832 (**No. 161**), are fully confirmed by the present Treaty of Defensive Alliance, in the same manner as if the said transactions had been inserted in it word for word.

Maintenance by Russia of Independence of Turkey.

ART. III. In consequence of the principle of conservation and mutual defence, which is the basis of the present Treaty of Alliance, and by reason of a most sincere desire of securing the permanence, maintenance, and entire Independence of the Sublime Porte, His Majesty the Emperor of All the Russias, in the event of circumstances occurring which should again determine the Sublime Porte to call for the naval and military assistance of Russia, although, if it please God, that case is by no means likely to happen, engages to furnish, by land and by sea, as many troops and forces as the two High Contracting Parties may deem necessary. It is accordingly agreed, that in this case the Land and Sea Forces, whose aid the Sublime Porte may call for, shall be held at its disposal.

* Reduction of War Indemnity.

Land and Sea Forces to be Maintained by the Power requesting Assistance.

ART. IV. In conformity with what is above stated, in the event of one of the two Powers requesting the assistance of the other, the expense only of provisioning the Land and the Sea Forces which may be furnished, shall fall to the charge of the Power who shall have applied for the aid.

Duration of Treaty.

ART. V. Although the two High Contracting Parties sincerely intend to maintain this engagement to the most distant period of time, yet, as it is possible that in process of time circumstances may require that some changes should be made in this Treaty, it has been agreed to fix its duration at 8 years from the day of the exchange of the Imperial Ratifications. The two parties, previously to the expiration of that term, will concert together, according to the state of affairs at that time, as to the renewal of the said Treaty.

Ratifications.

ART. VI. The present Treaty of Defensive Alliance shall be ratified by the two High Contracting Parties, and the Ratifications thereof shall be exchanged at Constantinople within the space of two months, or sooner if possible.

The present Instrument, consisting of 6 Articles, and to be finally completed by the exchange of the respective Ratifications, having been agreed upon between us, we have signed it, and sealed it with our Seals, in virtue of our Full Powers, and have delivered it to the Plenipotentiaries of the Sublime Ottoman Porte in exchange for a similar Instrument.

Done at Constantinople, the $\frac{26\text{th June}}{8\text{th July}}$, 1833 (the 20th of the moon Safer, in the 1249th year of the Hegira).

(L.S.) CTE. ALEXIS ORLOFF.
(L.S.) A. BOUTENEFF.

SEPARATE ARTICLE.*

Strait of the Dardanelles to be closed to Foreign Ships of War during War between Russia and any other Foreign Power.

IN virtue of one of the clauses of Article I of the Patent Treaty

* See Convention of 13th July, 1841: and Treaties of 30th March, 1856, and 13th March, 1871.

of Defensive Alliance concluded between the Imperial Court of Russia and the Sublime Porte, the two High Contracting Parties are bound to afford to each other mutually substantial aid, and the most efficacious assistance for the safety of their respective dominions. Nevertheless, His Majesty the Emperor of All the Russias, wishing to spare the Sublime Ottoman Porte the expense and inconvenience which might be occasioned to it by affording substantial aid, will not ask for that aid if circumstances should place the Sublime Porte under the obligation of furnishing it, the Sublime Ottoman Porte, in place of the aid which it is bound to furnish in case of need, according to the principle of reciprocity of the Patent Treaty, shall confine its action in favour of the Imperial Court of Russia to closing the Strait of the Dardanelles, that is to say, to not allowing any Foreign Vessels of War to enter therein under any pretext whatsoever.

The present Separate and Secret Article shall have the same force and value as if it was inserted word for word in the Treaty of Alliance of this day.

Done at Constantinople, the $\frac{26\text{th June}}{8\text{th July}}$, 1833 (the 20th of the moon of Safer, in the 1249th year of the Hegira).

(L.S.) CTE. ALEXIS ORLOFF.
(L.S.) A. BOUTENEFF.

The British and French Governments protested against the above Treaty. The following is a Copy of the British Protest delivered to the Porte :—

The Undersigned has been instructed to express to the Sublime Porte the deep concern with which the British Government has learnt the conclusion of the Treaty of the 8th of July between the Emperor of Russia and the Sultan. That Treaty appears to His Majesty's Government to produce a change in the relations between Turkey and Russia, to which other European States are entitled to object; and the Undersigned is instructed to declare that if the stipulations of that Treaty should hereafter lead to the armed interference of Russia in the internal affairs of Turkey, the British Government will hold itself at liberty to act upon such an occasion, in any manner which the circumstances of the moment may appear to require, equally as if the Treaty above mentioned were not in existence.

PONSONBY.

Constantinople, 26th August, 1833.

No. 169.—*FIRMAN of the Sultan (Mahmoud II), addressed to the Prince of Servia. December*, 1833.*

TABLE.

Preamble.
§ 1. Districts to pass under Administration of *Servia*. Commissioners to define Boundaries of Districts.
2. Period of 5 Years for *Turks* to sell their Property and quit *Servia*.
3. *Servians* to supply Victuals to *Turks* and Garrisons.
4. *Turkish* Authorities not to interfere in Affairs of *Servians*.
5. *Turks* to leave at expiration of 5 Years. *Turks* in neighbourhood of Fortresses to reside within them at expiration of 5 Years.
6. *Servians* to pay for Lands or Properties of *Turks* at expiration of 5 Years.
7. *Turks* and *Servians* to reside within the City of *Belgrade*.
8. Liberty of Commerce to *Turks* and *Servians* in *Belgrade*.
9. No one to carry Arms in *Belgrade* except the Military.
10. *Turks* not to erect Houses or Buildings out of the City of *Belgrade*.
11. Police Regulations.
12. Submission to *Turkey*.
13. Administration and Police of *Belgrade*.
14. Commercial Liberty to Subjects of Foreign Powers according to Treaties.
15. Foreigners may sell their Properties to *Servians* or *Turks*.
16. Aliens not to possess Landed Estates.
17. *Turks* or *Servians* may sell their respective Estates or Properties to each other.
18. Tribute to be paid to the *Porte*. *Servians* to manage their own Revenues.
19. Fortresses to be Demolished.
20. Execution of Firman.

(Translation as laid before Parliament.)

To the ornament of the Princes of the Christian nation, and the chief of the Grandees of the followers of Jesus, the head Kniez (leader) of the Servian nation, Milosch Obrenovitz Bey; may his end terminate in peace.

ON the receipt of this noble and Imperial mandate, it may be known to you that, being desirous of rewarding the Servian nation, subject to my Empire, for the proofs of fidelity which they cease not giving to my Sublime Porte, and in accordance with my declared mercy and Imperial clemency towards them, I have promulgated, in the year 1246, an Imperial Firman (**Nos. 146, 150**), by which I was pleased to grant them several Privileges, such as

* See also Firmans of 24th December, 1838; General Treaty of 30th March, 1856, Arts. XXVIII, XXIX; and Protocol of 4th September, 1862.

its interior administration; the reunion of such districts which had formerly been detached from Servia; the payment of all taxes consolidated into one sum only; the administration of all the wealth of the Turks, who, with the exception of the garrisons of the Fortresses, are on the point of quitting Servia in the space of twelve months, &c. But as the accomplishment of several of these points was necessarily deferred till some circumstances, connected with both the advantage of the Turks and that of the Servians, could be brought to light, and which it was necessary to know beforehand; and as now every doubt on these points has been removed, and all difficulties overcome by an understanding of the means of execution; and as it is my supreme will that the Privileges which I have granted to the said nation should be put into execution, and exercised according to the above-mentioned first Firman, granted to them out of my Imperial mercy, and be now consolidated with your own knowledge, I order and decree as follows:—

Districts to pass under Administration of Servia. Commissioners to Define Boundaries of Districts.

That the Districts detached from Servia, which were formerly in litigation, will pass, as well as the rest of the Districts of Servia, under your administration, and their Boundary will be determined according to the information given by the Commissioners sent on the spot for that purpose, and in accordance with the topographical Maps made expressly for those Districts, which are the following:—Kraina, including Klioute; Tzerna-Jeka, with Gourgouchevatz; Barvia and Sverlic; Alexinitza, with Rosnia and Paroquina; Kruchevatz, known as Allaja-Hissar; a part of the Stari-Vla (Old Wallachia), with part of the district of Novi-Pavar, known by the name of Berveme; and the Districts of Drina, formed of Jadra and Radgevena. In order, therefore, that the said Districts may regularly pass under the Servian administration, the requisite Firmans have been issued and sent to our Viziers, Hossein Pasha of Vidin, and to Veli Pasha of Belgrade; and it was ordered by these Firmans that Commissioners shall be appointed by you, as well as by Hossein Pasha, to go on the spot to make a correct survey; and in order that this affair may be brought to a suitable conclusion, the Officers and Authorities of those places have been directed to join the said Commissioners, and to assist and help them as much as may be necessary for the

purpose of finally determining the Boundary limits of those Districts; and that a copy of those topographical Maps, which have been already sent to our said Viziers, may be delivered into the hands of the said Commissioners and Surveyors.

Period of 5 Years for Turks to Sell their Property and quit Servia.

In the above-mentioned my last Imperial Firman, a Period of 12 months was granted to the Turks living in the small Towns about the Fortresses (the City of Belgrade excepted), to sell with advantage their Estates and to quit Servia; but as that term appears now insufficient for this purpose, and with the view of altering it and of enforcing it into a law, we have authorised the said Turks to stay 5 years longer in Servia, dating the term from the day of the issuing and promulgating the present Firman. During this Period of 5 years they will be under the domination of the respective Viziers of those places, and they shall be governed by the Turkish Authorities elected among themselves.

Servians to Supply Victuals to Turks and Garrisons.

The Victuals and Provisions necessary for the Turks, to whom the term of 5 years has been granted, and for those in the garrisons, which are to continue remaining for ever, shall be furnished by the Servians, and be paid for (by the Turks) in ready money, without any violence or vexation.

Turkish Authorities not to Interfere in Affairs of Servians.

The said Turkish Authorities shall not interfere in any way whatever with the affairs of the Servians, and they are to live with them on the best friendly terms.

Turks to Leave at expiration of 5 Years. Turks in neighbourhood of Fortresses to reside within them at expiration of 5 Years.

The Turks who may be desirous of leaving the Country before the said term of 5 years, shall receive every kind of assistance to sell their Property to the best advantage, and every facility for the conveyance of their families. But at the expiration of the said term, the Turks who inhabit small towns shall be obliged to quit them, and settle themselves elsewhere; those who live in the suburbs at the Fortresses (Belgrade excepted), shall be obliged to

enter and reside in those Fortresses with their families, or to go elsewhere; so that no Turk for the future, on no account whatever, shall be allowed to settle in Servia.

Servians to Pay for Lands or Properties of Turks at expiration of 5 Years.

The Servians, however, shall be obliged to pay, punctually, and at a reasonable price, for the Lands or Properties bought of the Turks before their departure from the country.

Turks and Servians to Reside within the City of Belgrade.

As the Turks living in the City of Belgrade are not only destined to the Garrison of the Fortresses, but also carry on, besides, an advantageous commerce with the Servians; and as both these nations are equally subject to my Empire, I have decreed that, in order to enable these Turks to live in a suitable and comfortable manner, they should continue to inhabit the City of Belgrade, and to be under the control of its Governor, my Vizier Veli Pasha; and that for the security of general tranquillity, the Servians also shall be allowed to live and dwell in the said City of Belgrade as usual; and that you, Prince, and other Servian Officers, shall be at liberty to enter it and go out of it without being hindered or prevented by anybody whomsoever.

Liberty of Commerce to Turks and Servians in Belgrade.

The Turks, as well as the Servians, by paying the established duties of the Custom-house, will enjoy at Belgrade the Liberty of Commerce; the administration of the Custom-house will be intrusted to the Servians.

No one to carry Arms in Belgrade except the Military.

No one shall be allowed to carry Arms in the City of Belgrade except the Soldiers under the command of the said Pasha, the Garrison, the Servian Officers, and the Police Officers.

Turks not to erect Houses or Buildings out of the City of Belgrade.

The Turks will not be permitted to erect Houses or any other kind of Buildings out of the City of Belgrade.

Police Regulations.

The Turks shall be obliged to submit to the Regulations of Police, which the Turkish Governor of Belgrade and you, Prince, shall think proper to establish.

Submission to Turkey.

Neither you, nor the Servian nation, shall ever act in any manner whatever contrary to the duties of faithful subjects, nor contrary to the Submission which you owe to my Sublime Porte.

Administration and Police of Belgrade.

The aforesaid Governor of Belgrade and yourself will always consult together for all that concerns the Administration and Police of the City.

Commercial Liberty to Subjects of Foreign Powers according to Treaties.

The permission granted to the subjects of Foreign Powers to carry on Commerce and to dwell in the City of Belgrade, is also one of the points upon which the Governor of Belgrade and yourself must understand each other, and act together, so that the said strangers may enjoy the requisite protection and assistance which they are entitled to, according to the Treaties concluded between my Sublime Porte and those friendly Powers.

Foreigners may sell their Properties to Servians or Turks.

Those who wish, of their own accord, to sell to the Servians or to other Turks, the Properties which they possess in the City of Belgrade, may do so without being prevented or opposed.

Aliens not to possess Landed Estates.

But the Alien Subjects shall not possess Landed Estates either in the City of Belgrade or in any other part of the country.

Turks or Servians may sell their respective Estates or Properties to each other.

There shall be no prohibition to the Turks or the Servians from selling to each other, willingly, their respective Estates or Properties.

Tribute to be paid to the Porte. Servians to manage their own Revenues.

Considering the effective amount of Taxes which the Servians used annually to pay into my Imperial Treasury till now, according to the orders contained in the above Imperial Firman; and considering also that the giving up to them the interior Administration of the Country must cause an increase of their expenses, we have, for these considerations, decreed that the Annual Tribute should be definitively consolidated for the future into the sum of 2,300,000 piastres; in this sum are included the Custom-house Duties, which are to be placed under your direction, the Revenues of *Zaimats* [privileged military fiefs], and the *Mookatas* [farming of the Crown lands], the Administration of which will be entrusted to the Servians; and also the *Kharadgiat* [capitation taxes], as well as all other sorts of contributions in general, which hitherto have been paid either in ready money or in goods. But this consolidated tribute shall be hereafter paid in two equal instalments, every 6 months, at Belgrade, commencing from the day of St. Dimitrius of the present year (26th of October, old style). The Servians shall have the management of all the Revenues of their country, and the produce of their Lands.

Fortresses to be Demolished.

With the exception of the Imperial Fortresses which anciently existed in Servia, all those that have been erected since, such as that of Kupri Palanka, and others, shall be demolished.

As the Articles of the present Firman form the execution and accomplishment of the former ones, whose provisions are hereby confirmed, my authorised Ministers, and those of the Russian Embassy, have agreed accordingly.

Execution of Firman.

And it being my sovereign will and pleasure that the Articles consolidated in the present Firman should take effect, and be put into execution, in the manner above prescribed, I have, for that purpose, issued and promulgated this noble Mandate; I have also sent another for the same purpose to the Pasha of Belgrade, in order that they may unite with you upon the execution of the said Articles; and an Imperial Firman has been likewise forwarded to the Pasha of Vidin, concerning the exact limitation of the Boundaries of the Districts before mentioned, with the neces-

sary instructions as to the other provisions of this present Firman, which has been issued to you expressly for your own information and guidance, according to the actual state of affairs.

Thus my Sovereign Will and pleasure is, that you will unite and agree with the above-named two Pashas, as to the putting regularly into execution the orders herein contained. And as a proof of gratitude for the benefits which I have bestowed upon the Servian Nation, you will do all in your power to render your conduct, in all respects, agreeable and pleasing to my Imperial wishes; and you will also take great care not to oppress, in any case whatever, my subjects who are intrusted to your government; you will likewise endeavour to draw towards my Imperial person and towards yourself, their love and their blessings; and I hope that for the future you will behave so as to deserve well of my Sublime Porte and my Imperial favour, and that you will act in conformity with the duties of a faithful subject without deviation or abuse.

Issued from our Imperial Divan, the beginning of Rejib, 1249, A.H. (About the end of December, 1833.)

No. 170.—*TREATY between Russia and Turkey respecting Moldavia and Wallachia. Signed at St. Petersburgh, 29th January*, 1834.*

ART. TABLE.

Preamble. Reference to Treaty of 14th September, 1829.
1. Map of Boundary. Line of Boundary. Commissioners to erect Posts defining Boundary.
2. Recognition by *Turkey* of Constitution of Principalities of *Wallachia* and *Moldavia*. Appointment of Hospodars of *Wallachia* and *Moldavia*. Evacuation of Principalities by *Russia*. Tribute to be paid to *Turkey* by *Wallachia* and *Moldavia*. Number of Troops in Principalities to be fixed by *Turkey*. Colours to Garrisons, and Flag to Moldo-Wallachian Merchant Vessels.
3. Turkish Engagements Modified. Payment of Indemnity to *Russia*. Reduction of Indemnity. Periods of Payment. Ratifications.

(Translation as laid before Parliament.†)

Reference to Treaty of 14th September, 1829.

THE Most High and Most Powerful Ottoman Emperor, my benefactor and master, on the one part, and the Most High and Most Magnanimous Emperor of All the Russias, on the other, animated by the desire with which they are inspired by the sincere friendship, cordiality, and confidence that happily subsist between them, to arrange definitively certain points of the Treaty concluded between the two High Powers at Adrianople (**No. 145**), which have not been hitherto carried into execution, have named for this purpose as their Plenipotentiaries, that is to say: His Majesty the Ottoman Emperor, his Excellency Mouchir Ahmed Pacha, Military Counsellor of the Seraglio, Ambassador Extraordinary of the Sublime Port at the Imperial Court of Russia, &c.; and His Majesty the Emperor of Russia, their Excellencies the Count Nesselrode, Vice-Chancellor of the Empire, and the Count Alexis Orloff, General of Cavalry, Aide-de-camp of the Emperor, &c.; who, after having reciprocally exhibited their Full Powers, have agreed on the following Articles:

Map of Boundary.

ART. I. The two High Courts having deemed it necessary to establish, as has been stipulated in the Treaty of Adrianople, a Line of Demarcation between the two Empires in the East, such as may henceforth prevent every species of dispute and discussion, it

* See also General Treaty of 30th March, 1856, and Convention of 19th August, 1858.

† For French version, see "State Papers," vol. xxvi, p. 1245.

has been agreed that a Line shall be traced that shall completely prevent the depredations which the neighbouring tribes have been in the habit of committing, and which have more than once compromised the relations of neighbourhood and friendship between the two Empires. Therefore, after the Commissioners on both sides have examined the localities, and obtained the necessary information for this purpose, the two Contracting Parties have resolved to proceed to the settlement of the Frontiers, in such manner that the object judicially proposed in the Treaty of Adrianople should be completely fulfilled; and with that view they have adopted, by common consent, the Line which may be seen traced in red on the Map which is annexed to the present Treaty.

Line of Boundary.

Conformably to Article IV of the Treaty of Adrianople (**No. 145**), this Line departs from Port St. Nicholas on the coast of the Black Sea, follows the existing Frontiers of the Province of Gouriel, ascends up to the Limits of Juira, thence traverses the Province of Akhiskha [Akhaltzik], and terminates at the point where the Provinces of Akhiskha and of Kars join the Province of Georgia. Thus the greatest part of the Province of Akhiskha remains, together with the other Countries and Territories referred to in the said Treaty, under the dominion of the Sublime Porte, as may be seen by the Map, of which two copies have been made and compared by the Plenipotentiaries of the two Powers, and which, considered as forming part of the present Treaty, are to be annexed to it, as evidence of the manner in which the future Limits of the two Empires have been settled.

Commissioners to erect Posts defining Boundary.

After the exchange of the Ratifications of the present Treaty, and so soon as Posts shall have been erected by the Commissioners named on both parts, according to the Line traced on the Map, from one side to the other, the Russian troops shall evacuate the Territories situate beyond that line, and retire within the Limits which it prescribes. So also the Mussulmans who inhabit the inconsiderable Territories which are comprised within the line that passes in front of the district of Ghroubhan and the extremities of the districts of Ponskron and of Djildir, and who may wish to establish themselves within the Territories of the Sublime Porte, shall be at liberty, within the term of 18 months,

from the date of the exchange of the Ratifications of the Treaty, to settle the affairs which connected them with the country, and to remove to the Turkish States without molestation.

Recognition by Turkey of Constitution of Principalities of Wallachia and Moldavia.

ART. II. By the instrument executed separately at Adrianople (No. 145) relative to the Principalities of Wallachia and Moldavia, the Sublime Porte undertook to recognise formally the Regulations made, while the Russian troops occupied those Provinces, by the principal inhabitants for their internal administration; the Sublime Porte finding nothing in the Articles of that Constitution which can affect its Rights of Sovereignty, consents henceforth formally to recognise the said Constitution.

It engages to publish for that purpose a Firman, accompanied by a Hatti-sheriff, two months after the exchange of the Ratifications, and to give a copy of the same to the Russian Mission at Constantinople.

Appointment of Hospodars of Wallachia and Moldavia.

After the formal recognition of the Constitution, the Hospodars of Wallachia and Moldavia shall be named, but for this time only, and as a special case, in the manner which was agreed upon some time since between the two Contracting Powers, and they will proceed to govern the two Provinces conformably to the Constitution, which is a consequence of the Stipulations above mentioned.

Evacuation of Principalities by Russia. Tribute to be Paid to Turkey by Wallachia and Moldavia.

His Majesty the Emperor of Russia, wishing to afford a new proof of the esteem and consideration which he entertains towards His Highness, and to hasten the moment when the Sublime Porte shall exercise the rights which the Treaties secure to it over the two Provinces, will order his troops, so soon as the Princes shall have been named, to retire from the two Provinces. This measure shall be executed two months after the nomination of the Princes. And as compensation is justly due for the advantages which the Sublime Porte grants in favour of the Wallachians and Moldavians, it is agreed and ordained that the annual Tribute, which

the two Provinces ought to pay according to the Treaties, shall be fixed henceforth at 6,000 purses (that is to say, at 3,000,000 Turkish piastres); and the Princes shall take care that this sum be annually paid, counting from the 1st of January, 1835.

Number of Troops in Principalities to be Fixed by Turkey. Colours to Garrisons and Flag to Moldo-Wallachian Merchant Vessels.

It is agreed between the two Courts that the number of troops which shall be employed as Garrisons in the interior of the two Provinces, shall be fixed in an invariable manner and at the pleasure of the Porte, which shall give Colours to the Garrisons and a Flag to the Valacho-Moldavian merchant-vessels that navigate the Danube.

Turkish Engagements Modified.

ART. III. Agreeably to the desire manifested by His Highness to execute scrupulously the engagements which he has undertaken by Article III of the Explanatory and Separate Act (**No. 145**), which is annexed to the Treaty of Adrianople, and by the Treaty of St. Petersburgh, relative thereunto, His Majesty the Emperor of All the Russias has been pleased to afford to the Sublime Porte new facilities for the execution of the engagements contracted by the Acts above mentioned; and it is accordingly agreed:

Payment of Indemnities to Russia.

1. That, although it has been stipulated by Article II of the Treaty of St. Petersburgh that the Sublime Porte shall pay annually and during eight years 1,000,000 Dutch ducats, it shall pay only 500,000 ducats per annum.

2. That the Sublime Porte shall no longer be obliged, as it has hitherto been, to pay in the month of May of each year, and at one time, the whole sum due for the year, and that it shall henceforth pay the 500,000 ducats by degrees; the entire sum being, however, paid within the interval between the month of May of one year and the month of May of the following year.

3. That His Imperial Majesty renounces his right to demand the difference, which existed at the period of each payment of the portion of the Indemnities for the expenses of the War and for Commerce, between the price at which the Sublime Porte paid the ducat in Turkish piastres and the real value of the ducats.

Reduction of Indemnity.

4. That His Imperial Majesty, moreover, taking into consideration the embarrassments in which the Treasury of that Empire has been lately involved, consents to the immediate reduction of 2,000,000 ducats, which is one-third of the amount of the Indemnities for the expenses of the War.

Periods of Payment.

5. That considering the deduction above specified, and the other arrangements already mentioned, the sum total of the Indemnities amounts to 4,000,000 Dutch ducats, of which the first portion, to be paid in one year, as one instalment, consists of 500,000 ducats, and shall be paid between the 1st of May, 1834, and the 1st of May, 1835, and the corresponding portions in the following years in the same manner, until the whole debt be discharged; but upon condition that the securities, guarantees, and facilities stipulated in Articles IV, V, VI, VII, and IX of the Treaty of St. Petersburgh shall continue down to that period in all their force, as if they had been inserted word for word in the present Treaty.

Ratifications.

In virtue of the powers which have been given to me, I have concluded the present Treaty, which shall be ratified by the two Contracting Parties, and the Ratifications of which shall be exchanged at Constantinople, within the term of 6 weeks, or sooner if possible; I have affixed to it my Seal and Signature; and I have delivered it to their Excellencies the Plenipotentiaries of the Court of Russia at St. Petersburgh, in exchange for the instrument which they have delivered to me.

Done the 18th Ramazan, 1249. [29th January, 1834.]

(L.S.) NESSELRODE.
(L.S.) ALEXIS ORLOFF.
(L.S.) MOUCHIR AHMED PACHA.

No. 171.—*TREATY between Great Britain, France, Portugal, and Spain, for the Pacification of the Peninsula. Signed at London, 22nd April, 1834.**

ART. TABLE.

Preamble.
1. Expulsion of Don Carlos from *Portugal.*
2. Co-operation of Spanish Troops to enforce Withdrawal of Don Carlos and Dom Miguel from *Portugal.*
3. Naval Force to be supplied by *Great Britain.*
4. Co-operation of *France.*
5. Amnesty.
6. Provision to Infant Don Carlos.
7. Ratifications.

(Translation, as laid before Parliament.†)

HER Majesty the Queen Regent of Spain, during the minority of her daughter Donna Isabella the Second, Queen of Spain, and His Imperial Majesty the Duke of Braganza, Regent of the Kingdom of Portugal and of the Algarves, in the name of the Queen Donna Maria the Second, being impressed with the conviction that the interests of the two Crowns and the security of their respective dominions require the immediate and vigorous exertion of their joint efforts to put an end to Hostilities which, though directed in the first instance against the Throne of Her Most Faithful Majesty, now afford shelter and support to disaffected and rebellious subjects of the Crown of Spain; and their Majesties being desirous at the same time to provide the necessary means for restoring to the subjects of each the blessings of internal Peace, and to confirm, by mutual good offices, the friendship which they are desirous of establishing and cementing between their respective States, they have come to the determination of uniting their forces in order to compel the Infant Don Carlos of Spain and the Infant Dom Miguel of Portugal to withdraw from the Portuguese Dominions.

In consequence of this Agreement, their Majesties the Regents have addressed themselves to their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of the French; and their said Majesties, considering the interest

* See Additional Articles of 18th August, 1834; Convention of 27th April, 1835; and Protocol of 21st May, 1847.

† For French, Spanish, and Portuguese versions, see "State Papers," vol. xxii, p. 124.

they must always take in the security of the Spanish Monarchy, and being further animated by the most anxious desire to assist in the establishment of Peace in the Peninsula, as well as in every other part of Europe; and His Britannic Majesty considering, moreover, the special obligations arising out of his ancient Alliance with Portugal,* their Majesties have consented to become Parties to the proposed engagement.

Their Majesties have therefore named as their Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honorable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honorable Privy Council, and his Principal Secretary of State for Foreign Affairs, &c.;

Her Majesty the Queen Regent of Spain, during the minority of her daughter Donna Isabella the Second, Queen of Spain, Don Manuel Pando, Fernandez de Pinedo, Alava y Dabila, Marquis of Miraflores, Count of Villapaterna, and of Floridablanca, Lord of Villagarcia, a Grandee of Spain, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

His Majesty the King of the French, the Sieur Charles Maurice de Talleyrand-Perigord, Prince-Duke de Talleyrand, Peer of France, His said Majesty's Ambassador Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

And His Imperial Majesty the Duke of Braganza, Regent of the Kingdom of Portugal and the Algarves in the name of the Queen Donna Maria the Second, the Sieur Christopher Peter de Moraes Sarmento, a Member of the Council of Her Most Faithful Majesty, Nobleman Knight of the Royal House, and Her Most Faithful Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.;

Who have agreed upon the following Articles:

Expulsion of Don Carlos from Portugal.

ART. I. His Imperial Majesty the Duke of Braganza, Regent of the Kingdom of Portugal and the Algarves in the name of the Queen Donna Maria the Second, engages to use all the means in his power to compel the Infant Don Carlos to withdraw from the Portuguese Dominions.†

* See note, p. 760.

† Don Carlos arrived in England on the 13th July 1834, and he returned to Spain on the 9th July following.

Co-operation of Spanish Troops to enforce withdrawal of Don Carlos and Dom Miguel from Portugal.

ART. II. Her Majesty the Queen Regent of Spain during the minority of her daughter Donna Isabella the Second, Queen of Spain, being hereby requested and invited thereto by His Imperial Majesty the Duke of Braganza, Regent, in the name of the Queen Donna Maria the Second; and having moreover received just and grave cause of complaint against the Infant Dom Miguel, by the countenance and support given by him to the Pretender to the Spanish Crown, engages to cause such a body of Spanish Troops as may hereafter be agreed upon between the two Parties, to enter the Portuguese territory, in order to co-operate with the troops of Her Most Faithful Majesty, for the purpose of compelling the Infants Don Carlos of Spain and Dom Miguel of Portugal to withdraw from the Portuguese Dominions. And Her Majesty the Queen Regent of Spain further engages that these troops shall be maintained at the expense of Spain, and without any charge to Portugal; the said Spanish Troops being nevertheless received and treated in all other respects in the same manner as the troops of Her Most Faithful Majesty; and Her Majesty the Queen Regent engages that her troops shall withdraw from the Portuguese territory as soon as the above-mentioned object of the expulsion of the Infants shall have been accomplished, and when the presence of those troops in Portugal shall no longer be required by His Imperial Majesty the Duke Regent in the name of the Queen Donna Maria the Second.

Naval Force to be supplied by Great Britain.

ART. III. His Majesty the King of the United Kingdom of Great Britain and Ireland engages to co-operate, by the employment of a Naval Force, in aid of the operations to be undertaken, in conformity with the engagements of this Treaty, by the troops of Spain and Portugal.

Co-operation of France.

ART. IV. If the co-operation of France should be deemed necessary by the High Contracting Parties, for the complete attainment of the object of this Treaty, His Majesty the King of the French engages to do, in this respect, whatever might be settled by common consent between himself and his 3 August Allies.

Amnesty.

ART. V. It is agreed between the High Contracting Parties, that in pursuance of the stipulations contained in the foregoing Articles, a declaration shall be immediately issued, announcing to the Portuguese Nation the principles and object of the engagements of this Treaty. And His Imperial Majesty the Duke Regent, in the name of the Queen Donna Maria the Second, animated by a sincere desire to obliterate all remembrance of the past, and to unite around the Throne of Her Most Faithful Majesty the whole of that Nation over which the will of Divine Providence has called her to reign, declares his intention to proclaim, at the same time, a complete and general amnesty in favour of all such of the subjects of Her Most Faithful Majesty as shall, within a time to be specified, return to their allegiance; and His Imperial Majesty the Duke Regent, in the name of the Queen Donna Maria the Second, also declares his intention to secure to the Infant Dom Miguel, on his retiring from the Spanish and Portuguese Dominions, a provision suitable to his birth and rank.

Provision to Infant Don Carlos.

ART. VI. Her Majesty the Queen Regent of Spain, during the minority of her daughter Donna Isabella the Second, Queen of Spain, hereby declares her intention to secure to the Infant Don Carlos, on his retiring from the Spanish and Portuguese Dominions, a provision suitable to his birth and rank.

Ratifications.

ART. VII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London in one month from this date, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 22nd day of April, in the year of Our Lord, 1834.

(L.S.) MIRAFLORES.
(L.S.) TALLEYRAND.
(L.S.) C. P. DE MORAES SARMENTO.
(L.S.) PALMERSTON.

No. 172.—*TREATY between Prussia and Saxe-Coburg, for the Cession of Lichtenberg to Prussia. Berlin, 31st May, 1834.*

ART. TABLE.

Preamble. Reference to Vienna Congress Treaty of 9th June, 1815.
1. Cession of *Lichtenberg* to *Prussia*.
2. Acceptance of Cession by *Prussia*.
3. Indemnity to the Duke of *Saxe-Coburg-Gotha* for Cession of *Lichtenberg*.
4. Date of Delivery of Principality to *Prussia*.
5. Military Force of the Principality.
6. Principality transferred to *Prussia* free of Debts.
7. Cession of Principality to be communicated to Powers, Parties to *Vienna* Act, and to *Germanic Confederation*.
8. Ratifications.

(Translation.)

Treaty between His Majesty the King of Prussia and His Serene Highness the Duke of Saxe-Coburg-Gotha, relative to the Cession of the Principality of Lichtenberg.

Reference to Vienna Congress Treaty of 9th June, 1815.

IN pursuance of the stipulations of Article XLIX of the Act of the Congress of Vienna, of the 9th of June, 1815 (**No. 27**), a Tract of Country, situate in the late French "Département de la Sarre," and containing a population of 20,000 souls, was assigned to His Serene Highness the Duke of Saxe-Coburg-Gotha, and, in virtue of a Convention concluded on the 9th of September, 1816, was made over by His Majesty the King of Prussia, together with a population of 25,000 souls, to His Serene Highness, by whom it has since then been possessed with full sovereign rights under the appellation of the Principality of Lichtenberg; whilst, on the other hand, the assurances contained in Article L of the Act of Vienna (**No. 27**), on the part of their Majesties the Emperor of Austria, the Emperor of Russia, the King of Great Britain, and the King of Prussia, by which their Majesties engaged to use their good offices, with a view to obtain for His Serene Highness the Duke of Saxe-Coburg-Gotha the contemplated advantages, either by means of exchanges or by other agreements, have in so far led to no result, as it was the wish of His Serene Highness to obtain some other Sovereign Tract of Country in

exchange for the Principality of Lichtenberg, which mode of exchange has been found impracticable, for which reason the aforesaid Powers have long since found themselves compelled to declare that they considered the good offices which they had pledged in virtue of Article L of the Act of Vienna (**No. 27**) as at an end.

His Serene Highness the Duke of Saxe-Coburg-Gotha, however, taking into consideration the difficulties which the separate administration of a Tract of Country far removed from the ancient Ducal lands entailed both upon the Government itself and upon the inhabitants of the Territory in question, some time since conceived himself called upon to enter into negotiation on the subject of the Cession of the Principality of Lichtenberg to His Majesty the King of Prussia against a full Indemnity, on the basis of some other agreement, a course which the above-mentioned Article of the Act of Vienna has left open.

These negotiations having been repeatedly commenced, and as often interrupted by the political events of the times, His Majesty the King of Prussia and His Serene Highness the Duke of Saxe-Coburg-Gotha have now resolved to terminate this affair, which has lately been again taken up, and to conclude a Treaty on the subject, and to this end have appointed the following Plenipotentiaries, viz.:

His Majesty the King of Prussia, His Majesty's Privy Councillor of Finance and Director of the General Administration of Crown Lands and Forests, George Wilhelm Kessler, Knight, &c., and His Majesty's Privy Councillor of Legation, Friedrich Carl von Bulow, Knight, &c., and His Serene Highness the Duke of Saxe-Coburg-Gotha, His Highness' Minister Resident, and Chamberlain, Colonel Otto Wilhelm Carl von Röder, Knight, &c.; who, after having exchanged their Full Powers, the validity of which was proved, have discussed and adopted the following Articles, *salvâ Ratificatione:*

Cession of Lichtenberg to Prussia.

Art. I. His Serene Highness the Duke of Saxe-Coburg-Gotha cedes, for himself, his heirs, and successors, to His Majesty the King of Prussia, that Tract of Country situate on the left bank of the Rhine, together with all the various Sovereign Rights appertaining thereto, which His Serene Highness obtained in virtue of Articles XLIX and L of the Act of Vienna (**No. 27**), and of sub-

sequent Agreements, and which he has hitherto held in possession under the appellation of the Principality of Lichtenberg.

Acceptance of Cession by Prussia.

ART. II. His Majesty the King of Prussia accepts this Cession, and accordingly takes possession of the Principality of Lichtenberg, with all the rights and obligations belonging to it.

Indemnity to the Duke of Saxe-Coburg-Gotha for Cession of Lichtenberg.

ART. III. His Majesty the King of Prussia will assign to His Serene Highness the Duke of Saxe-Coburg-Gotha, in exchange for the Cession of the Principality of Lichtenberg, an Indemnity which shall not only afford His Serene Highness a clear annual revenue of 80,000 Prussian dollars, but enable him at the same time, partly by the rent of Prussian Crown Lands, and partly by the purchase of estates and other possessions, to acquire landed property.

This Indemnity shall take the place of the Principality of Lichtenberg, together with all the relations in which it has stood with regard to the special House of Saxe-Coburg-Gotha and to its members.

Date of Delivery of Principality to Prussia.

ART. IV. The Principality of Lichtenberg shall be delivered up to His Majesty the King of Prussia by His Serene Highness at latest 14 days after the exchange of the Ratifications of the present Treaty shall have taken place.

Military Force of the Principality.

ART. V. The Military Force hitherto kept up in the Principality of Lichtenberg, and that constituting its contingent to the Army of the Confederation, shall be combined by His Majesty the King of Prussia with the troops which compose the Prussian Federal Contingent, without its being necessary in future to furnish a separate contingent for the said Principality; and this augmentation of the Prussian Contingent shall henceforward exempt the Principality of Lichtenberg from its obligation of furnishing a contingent on its part.

[Lichtenberg.]

Principality transferred to Prussia free of Debts.

ART. VI. The Principality of Lichtenberg is transferred to Prussia, together with all its appointed employés and pensioners, entirely free of all Debts, pursuant to a Special Convention concluded on the subject.

Cession of Principality to be communicated to Powers, Parties to Vienna Act, and to Germanic Confederation.

ART. VII. His Serene Highness the Duke of Saxe-Coburg-Gotha having duly notified to the Courts specified in Article L of the Act of Vienna (**No. 27**) the present Agreement respecting the Principality of Lichtenberg, and that notification having been confirmed by His Majesty the King of Prussia by an appropriate communication on the subject to the Courts concerned, the Germanic Confederation shall likewise be informed of the contents of the present Treaty, immediately after its conclusion, by means of a Declaration to be made on the part of Saxe-Coburg-Gotha, under a reference to Article VI of the Final Act of Vienna of the 15th of May, 1820 (**No. 104**); and this Notification shall be confirmed by the Prussian Minister in the Diet.

Ratifications.

ART. VIII. The present Treaty shall be ratified by His Majesty the King of Prussia and by His Serene Highness the Duke of Saxe-Coburg-Gotha, and accordingly the Ratifications* shall be exchanged within 14 days, and if possible earlier.

In faith of which the respective Plenipotentiaries have signed the present State Treaty, and have thereunto affixed their Seals.

Done at Berlin, 31st May, 1834.

(L.S.) O. W. C. VON RODER. (L.S.) G. W. KESSLER.
(L.S.) F. C. VON BULOW.

* Ratifications exchanged at Berlin 22nd September, 1834.

No. 173.—*ADDITIONAL ARTICLES to the Treaty between Great Britain, France, Portugal, and Spain, of 22nd April, 1834. Signed at London, 18th August, 1834.*

ART. TABLE.

Preamble. Reference to Treaty of 22nd April, 1834.
1. Prevention of Succours from French Territory.
2. Warlike Stores to be supplied by *Great Britain* to *Spain*, and Naval Force if necessary.
3. Co-operation of *Portugal* in *Spain*.
4. Ratifications.

(English version.*)

Reference to Treaty of 22nd April, 1834.

His Majesty the King of the United Kingdom of Great Britain and Ireland; Her Majesty the Queen Regent of Spain during the minority of her daughter Donna Isabella the Second, Queen of Spain; His Majesty the King of the French; and His Imperial Majesty the Duke of Braganza, Regent of the Kingdom of Portugal and the Algarves in the name of the Queen Donna Maria the Second, the High Contracting Parties to the Treaty of the 22nd April, 1834 (**No. 171**); having taken into their serious consideration the recent events which have occurred in the Peninsula, and being deeply impressed with the conviction that, in this new state of things, new measures have become necessary for the complete attainment of the objects which it was the purpose of the said Treaty to accomplish; the undersigned, Henry John Viscount Palmerston, Baron Temple, His Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c., Don Manuel Pando, Fernandez de Pinedo, Alava y Davila, Marquis of Miraflores, Her Catholic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c.; Charles Maurice de Talleyrand-Perigord, Prince-Duke de Talleyrand, Ambassador Extraordinary and Minister Plenipotentiary from His Majesty the King of the French to His Britannic Majesty, &c.; and Christopher Peter de Moraes Sarmento, Her Most Faithful Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c., being furnished with the authority of their respective Governments, have agreed upon the following additional Articles to the Treaty of the 22nd April, 1834 (**No. 171**):—

* For French version, see "State Papers," vol. xxii, p. 134.

Prevention of Succours from French Territory.

ART. I. His Majesty the King of the French engages to take such measures in those parts of his Dominions which adjoin to Spain, as shall be best calculated to prevent any Succours of men, arms, or warlike stores, from being sent from the French Territory to the Insurgents in Spain.

Warlike Stores to be supplied by Great Britain to Spain, and Naval Force if necessary.

ART. II. His Majesty the King of the United Kingdom of Great Britain and Ireland engages to furnish to Her Catholic Majesty such supplies of Arms and Warlike Stores as Her Majesty may require, and further to assist Her Majesty, if necessary, with a Naval Force.

Co-operation of Portugal in Spain.

ART. III. His Imperial Majesty the Duke of Braganza, Regent of Portugal and the Algarves in the name of the Queen Donna Maria the Second, fully sharing the sentiments of his August Allies, and desirous moreover to make a just return for the engagements contracted by Her Majesty the Queen Regent of Spain by Article II of the Treaty of the 22nd April, 1834 (**No. 171**), engages to co-operate, if necessity should arise, in aid of Her Catholic Majesty, with such means as may be in his power, and in such mode and manner as may hereafter be agreed upon between their said Majesties.

Ratifications.

ART. IV. The foregoing Articles shall have the same force and effect as if they were inserted, word for word, in the Treaty of the 22nd April, 1834 (**No. 171**), and shall be considered as forming a part of the same:—they shall be ratified, and the Ratifications thereof shall be exchanged at London within 40 days, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 18th day of August, 1834.

(L.S.) MIRAFLORES.
(L.S.) TALLEYRAND.
(L.S.) C. P. DE MORAES SARMENTO.
(L.S.) PALMERSTON.

No. 174.—*HATTI-SHERIFF of the Sultan of Turkey, relative to the Principalities of Moldavia and Wallachia.* —1834.

[Referred to in Article II of Convention between the 6 Powers and Turkey of 19th August, 1858.]

ART. TABLE.

1. Election of Hospodars.
2. Internal Administration.
3. Guarantee against Incursions. Contiguous *Islands* to form part of Territory.
4. *Sublime Porte* not to maintain any Fortified Points. Mussulman subjects not to establish themselves in *Wallachia* or *Moldavia*.
5. Sanitary Regulations. Maintenance of Troops.
6. Tribute.
7. Liberty of Commerce. Free Navigation of the *Danube*.

(Translation.)

Election of Hospodars.

ART. I. The Hospodars shall be elected by the Country, and invested with their dignity for life.

Internal Administration.

ART. II. The Hospodars regulate freely all the internal affairs of their Provinces, consulting their respective Divans, and taking care not to infringe the rights guaranteed to the two Countries by the several Treaties and Hatti-sheriffs. They shall not be molested in their internal Administration by any order in contravention with their rights.

Guarantee against Incursions. Contiguous Islands to form part of Territory.

ART. III. The Sublime Porte engages scrupulously to watch that no incursion shall take place from the Riverains of the Left Bank of the Danube in Wallachian or Moldavian Territory. Are considered as forming an integral part of that Territory, all the Islands contiguous to the Left Bank of the Danube, and the stream (Thalweg) of that River shall form the Limit of those two Principalities.

Sublime Porte not to maintain any Fortified Points. Mussulman Subjects not to establish themselves in Wallachia or Moldavia.

ART. IV. In order the better to insure the inviolability of the Moldo-Wallachian Territory, the Sublime Porte engages not to maintain any fortified point, and not to tolerate any establish-

ment whatever of her Mussulman Subjects on the Left Bank of the Danube. Consequently, along the whole of that Bank in Great and Little Wallachia, as well as in Moldavia, no Mussulman shall ever fix his abode.

Sanitary Regulations.

ART. V. The two Principalities, enjoying all the rights of Autonomy, shall freely establish Quarantine and Sanitary Lines along the Danube or in the interior of the Country, whenever occasion shall require it—Mussulmans and Christians being obliged strictly to conform to the Sanitary Regulations.

Maintenance of Troops.

The Government of each Principality can maintain the number of Troops necessary to guard their Frontiers, to preserve order in the Towns and Countries, and to execute the Laws and Regulations. The number and maintenance of the Militia shall be regulated by the Hospodars in concert with their Divans, in conformity with ancient custom.

Tribute.

ART. VI. In order to Indemnify the Imperial Treasury for the surrender of all Supplies, the Principalities shall each pay annually a sum of money, the amount of which is fixed for the two at 3,000,000 piastres or 6,000 purses. In addition, on the reappointment of the Hospodar, arising from the death, abdication, or legal dismissal of the Titular, the Principality, the case arising, shall pay to the Sublime Porte a sum equal to the Annual Tribute; with this exception, there shall never be exacted from the Country, or the Hospodars, any Duty or Present whatever.

Liberty of Commerce. Free Navigation of the Danube.

ART. VII. The Inhabitants of the Principalities shall enjoy full Liberty of Commerce for all the productions of their Soil and Industry without any restrictions, except those which the Hospodars with their Divans shall consider indispensable to establish with a view to ensuring the supply of the Country. They shall navigate freely on the Danube in their own Vessels, provided with Passports from their Government, and trade in the other Towns and Ports of the Sublime Porte, without in any way being molested or exposed to any injury.

No. 175.—*DEFINITIVE TREATY between Prussia and Russia, defining the Boundary between the Prussian States and Poland, from the Confines of the Grand Duchy of Posen to the Republic of Cracow. Signed at Berlin,* $\frac{\text{20th February}}{\text{4th March}}$, 1835.*

ART. TABLE.

Preamble.
1. Definitive Settlement of Frontier between *Silesia* and *Poland.*
2. Maintenance of Frontier traced in 1808.
3. to 45. Detailed definition of Frontier.
46. Maintenance of the Demesnial Rights of Property or of individuals of either country.
47. Maintenance of Rights of Proprietors of *Posen* and *Poland* whose possessions are divided by the Frontier.
48. Inhabitants of Territories ceded by *Poland* not included in the Cession. Forest Establishments of *Zemela* and *Duda* may be claimed by *Poland.*
49. Maintenance of Mills, Dykes, &c., on *Rivers* forming the Limits.
50. High Water Mark on *Rivers* forming the Frontier. *Status quo* of 1827 to be preserved.
51. Purchase by *Prussia* of Contract of Estate of *Krzyankowitz*, in *Silesia.* Closing of Canal between *Wendzin* and *Radly.* Erection of a Sluice to divide the waters of the *Liscoarta* and the Canal flowing from the *Zborowski.*
52. Preventive measures against Innovations on Frontier *Rivers*, &c.
53. Punishment for alteration of Frontier or destruction of Boundary Stakes.
54. Labours to be undertaken by Commissioners.
55. Commissioners to complete the Demarcation of 1808.
56. Proprietors allowed to erect Stakes marking Limits of their Possessions.
57. *Status quo* of 1828 to be maintained respecting the Limits of Private Possessions.
58. Ratifications.

(Translation.†)

His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, King of Poland, having resolved to terminate in a friendly manner the Territorial Differences existing on the Frontier separating the two countries, have appointed as their Plenipotentiaries, viz.:—

* See Act of Delimitation of $\frac{\text{1st}}{\text{13th}}$ December, 1836.

† For French version, see "State Papers," vol. xxiii, p. 283.

His Majesty the King of Prussia, the Sieur Frederic Ancillon, his Minister of State and of the Cabinet, &c., and

His Majesty the Emperor of All the Russias, King of Poland, the Sieur Alexandre de Ribeaupierre, his Actual Privy Councillor, Actual Chamberlain, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Prussia, &c.:

Who, after having exchanged their Full Powers, found to be in good and due form, and having taken cognisance of the preparatory work, and jointly heard the Reports of the Commissioners appointed *ad hoc*, namely, on the part of Prussia, the Sieur Jean Ferdinand Neigebaur, Intimate Councillor of Justice, and on the part of Poland the Sieur Vincent Pradzynski; considering that the Commission appointed in 1808 to fix the limits between the Prussian States and the Duchy of Warsaw did not determine the Frontier on all points where the territories were claimed by both parties; considering that all the measures taken at different times by the Governments of the two countries to put a stop to continual claims (some of which date as far back as the 14th and 15th centuries) have brought about no definitive result, and that the Treaty concluded at Vienna on the $\frac{\text{21st April}}{\text{3rd May}}$, 1815 (**No. 13**), only traced the Frontier between the Grand Duchy of Posen and the Kingdom of Poland; having finally examined the claims and vouchers presented on either side, and discussed the different questions and arguments; have agreed upon the following Articles:

Definitive Settlement of Frontier between Silesia and Poland.

ART. I. The arrangements of the present Treaty shall determine definitively the Frontier between Silesia and Poland, starting from the point where that Frontier touches that of the Grand Duchy of Posen, such as it has been defined by the Treaty concluded at Warsaw between Prussia and Russia, on the $\frac{\text{12th}}{\text{24th}}$ April, 1823, to the point where it touches the Frontier of the Republic of Cracow, such as the latter has been settled by the Vienna *Recès* of $\frac{\text{21st April}}{\text{3rd May}}$, 1815 (**No. 14**).

Maintenance of Frontier traced in 1808.

ART. II. The Frontier already marked on the whole of that line by stakes planted in 1808 shall be maintained according to the *Procès-verbaux*, and the Plans signed by the Commissioners,

Count de Danckelman and General Kosinski; and with reference to the gaps which were not marked out at the time, the Frontier shall be traced as follows:

Arts. III *to* XLV. *Detailed Definition of Frontier.*

Art. XLVI. *Maintenance of the Demesnial Rights of Property or of Individuals of either Country.*

Art. XLVII. *Maintenance of Rights of Proprietors of Posen and Poland whose Possessions are divided by the Frontier.*

Art. XLVIII. *Inhabitants of Territories ceded by Poland not included in the Cession. Forest Establishments of Zemela and Duda may be claimed by Poland.*

Art. XLIX. *Maintenance of Mills, Dykes, &c., on Rivers forming the Limits.*

Art. L. *High Water Mark on Rivers forming the Frontier. Status quo of* 1827 *to be preserved.*

Art. LI. *Purchase by Prussia of Contract of Estate of Krzyankowitz in Silesia. Closing of Canal between Wendzin and Radly. Erection of a Sluice to divide the Waters of the Liscoarta, and the Canal flowing from the Zborowski.*

Art. LII. *Preventive Measures against Innovations on Frontier Rivers, &c.*

Art. LIII. *Punishment for Alteration of Frontier or Destruction of Stakes.*

Art. LIV. *Labours to be undertaken by Commissioners.**

Art. LV. *Commissioners to complete the Demarcation of* 1808.

Art. LVI. *Proprietors allowed to erect Stakes marking Limits of their Possessions.*

Art. LVII. *Status quo of* 1828 *to be maintained respecting the Limits of Private Possessions.*

Art. LVIII. *Ratifications.*

In testimony whereof the respective Plenipotentiaries have signed the present Treaty, and affixed thereto the Seal of their Arms.

Signed at Berlin, $\frac{\text{20th February}}{\text{4th March}}$, 1835.

(L.S.) ANCILLON. (L.S.) RIBEAUPIERRE.

* See Act of Delimitation of $\frac{\text{1st}}{\text{13th}}$ December, 1836.

No. 176.—*CONVENTION concluded, under British Mediation, between the Commanders-in-Chief of the Belligerent Armies in Spain. Signed at* $\frac{\text{Asarta, 26th}}{\text{Logroño, 27th}}$ *April*, 1835.

ART. TABLE.

1. Preservation of lives of Prisoners.
2. Periodical exchange of Prisoners.
3. Number of Prisoners exchanged to be equal.
4. Exchange according to Rank.
5. Towns selected for detention of Prisoners to be respected.
6. Political Prisoners to be tried in conformity with the Laws.
7. Sick and Wounded to be respected.
8. Stipulations to be binding in all Provinces of the Monarchy.
9. Strict observance of Convention.

(Translation.)

Stipulations proposed by Lord Eliot, H.B.M.'s Commissioner, and which will serve as a rule to the Commanders-in-Chief of the Belligerent Armies in the Provinces of Guipuscoa, Alava, and Biscay, and in the Kingdom of Navarre.

Preservation of Lives of Prisoners.

ART. I. The Commanders-in-Chief of the two Armies now engaged in Hostilities in the Provinces of Guipuscoa, Alava, and Biscay, and in the Kingdom of Navarre, agree to preserve the lives of all Prisoners who may be made on one side or the other, and to exchange them as stipulated below.

Periodical exchange of Prisoners.

ART. II. The exchange of Prisoners shall be periodical, twice or thrice in a month, or oftener if circumstances should require or allow it.

Number of Prisoners exchanged to be equal.

ART. III. The aforesaid exchange shall be in exact proportion to the number of Prisoners which each party shall present, and the number remaining over and above shall be retained by the party in whose power they are until another opportunity of affecting an exchange shall occur.

Exchange according to Rank.

ART. IV. The exchange shall be made according to the Rank.

Towns selected for detention of Prisoners to be respected.

ART. V. If after effecting an exchange, one of the Belligerents should require a point where he may be able to guard the Prisoners who may not have been exchanged, it is agreed that, for their security and good treatment, they shall remain with, and be guarded by, the party in whose power they are, at one or more Towns, to be respected by the opposite party; the latter not being allowed to enter such Towns, or in any manner to carry on hostilities against them whilst the Prisoners remain in them: it being well understood, that in the towns where Prisoners are kept, the manufacture of arms, ammunition, or military stores, shall not be permitted, and that such Towns shall be selected beforehand by the agreement of both parties.

Political Prisoners to be tried in conformity with the Laws.

ART. VI. During the present contest, no person, whoever he may be, civil or military, shall be deprived of life on account of his Political Opinions, without having been previously tried and condemned in conformity with the Laws, Decrees, and Ordinances in force in Spain. This is only to be understood in reference to those who are not in reality Prisoners of War; for as regards them, the stipulations contained in the preceding Articles shall be binding.

Sick and Wounded to be respected.

ART. VII. Both the Belligerent parties shall religiously respect, and leave in full liberty, the Sick and Wounded who may be found in hospitals, barracks, towns, farm-houses, or any other place; the sick having been previously recognized as such by the medical officers.

Stipulations to be binding in all Provinces of the Monarchy.

ART. VIII. Should the War extend to other Provinces of the Monarchy, the present Convention shall be binding in them, provided that the Armies, which, by the vicissitudes of war, carry on hostilities in them, be the same which are now engaged in hostilities in the three Basque Provinces and in the Kingdom of Navarre.

Strict observance of Convention.

ART. IX. This Convention shall be strictly observed by the Commanders-in-Chief, on both sides, who may succeed to the command.

Head-quarters of $\frac{\text{Asarta, 26th}}{\text{Logroño, 27th}}$ April, 1835.

THOMAS ZUMALACARREGUI.
ELIOT.

GERONIMO VALDÉS.
ELIOT.

In the presence of
J. GURWOOD, Lieut.-Colonel in the service of H.B.M.

No. 177.—*DECLARATION between Prussia and Russia for the Settlement of Boundaries and Disputes. Signed at Berlin, $\frac{19\text{th}}{31\text{st}}$ December*, 1835.

ART. TABLE.

Preamble. Reference to Treaty of 3rd May, 1815.
1. Rules determining what Domiciliary Court is to decide on Differences relating to the Principal Property of Estates divided by the Frontier Line.
2. Regulations for keeping Mortgage Bonds.
3. Meaning of the words "Principal Property of Estates."
4. Mortgages to be Settled according to the respective Laws of the two States.
5. Regulations to be observed by Domiciliary Courts of either Country.
6. Domiciliary Court of Country in which the Estate is situated to Execute Judgment.
7. Transitory Dispositions.
8. The present Arrangement to remain binding, so long as the two respective Courts shall not consider it necessary to agree to New Regulations.
9. Publication of Arrangement.

(Translation.*)

Reference to Treaty of 3rd May, 1815.

THE Undersigned, Plenipotentiaries of His Majesty the King of Prussia, and of His Majesty the Emperor of All the Russias, considering:

That, Article XX of the Treaty signed at Vienna on the $\frac{21\text{st April}}{3\text{rd May}}$, 1815 (No. 13), between Prussia and Russia, ascribes to the Domiciliary Court the cognisance of Differences relative to Estates divided by the Frontier; considering besides that the term of 10 years stipulated for its duration has expired, and that the High Contracting Parties have, by the preceding Article, reserved to themselves the power of making, at the end of that term, any other Regulations if found necessary, have agreed to the following:—

Rules determining what Domiciliary Court is to decide on Differences relating to the Principal Property of Estates divided by the Frontier Line.

ART. I. The Principal Property of Estates divided by the

* For French version, see "State Papers," vol. xxiii, p. 294.

Frontier Line separating the Grand Duchy of Posen from the Kingdom of Poland, whether those Estates belong to private Individuals, or the Communes, Institutions or public Establishments, shall serve as a basis to determine the Domiciliary Court in either of the two countries which shall decide the differences relative to those Estates.

ART. II. *Regulations for keeping Mortgage Bonds.*

ART. III. *Meaning of the Words "Principal Property of Estates."*

ART. IV. *Mortgages to be Settled according to the Respective Laws of the Two States.*

ART. V. *Regulations to be observed by Domiciliary Courts of either Country.*

ART. VI. *Domiciliary Court of Country in which the Estate is situated to Execute Judgment.*

ART. VII. *Transitory Dispositions.*

ART. VIII. *The present Arrangement to remain binding, so long as the two respective Courts shall not consider it necessary to agree to new Regulations.*

ART. IX. *Publication of Arrangement.*

Done at Berlin, the $\frac{19\text{th}}{31\text{st}}$ December, 1835.

(L.S.) ANCILLON. (L.S.) RIBEAUPIERRE.

No. 178.—*CONVENTION between Russia and Turkey, respecting the Payment of Turkish Indemnity, &c. Signed at Constantinople, 27th March, 1836.*

ART. TABLE.

Preamble. Reference to Treaty of 29th January, 1834.
1. Payment of Indemnity to *Russia*.
2. Date of Instalments.
3. Evacuation of Fortress of *Silistria* by *Russia*.

(Translation as laid before Parliament.*)

Reference to Treaty of 29th January, 1834.

THE present Act serves to make known what follows:

His Highness the Sultan having, as is required by the friendship and alliance which happily subsist between him and His Majesty the Emperor of Russia, and between their respective Governments, of his own and free action evinced the desire to pay at once the money which the Sublime Porte, by the Treaty concluded at St. Petersburgh on the $\frac{17}{29}$th January, 1834 (**No. 170**), of the Christian era, engaged to pay to the Russian Government, His Majesty the Emperor of Russia, in acceding to the desire of His Highness, has been pleased on this occasion to deduct 180,000 purses (90,000,000 Turkish piastres) of the debt due from the Sublime Porte, a debt which, after the reductions previously made and the sums already paid on account, still amounted to 340,000 purses; and, in consideration of the payment of 160,000 purses in specie, to regard the debt of the Sublime Porte as being quite extinct: thus giving a new proof of the esteem which he bears, and of the sentiments which he professes, for His Highness the Sultan, his friend and ally.

The Envoy of Russia residing near the Sublime Porte, having received the instructions and Full Powers necessary for treating, has brought the dispositions of the contemplated arrangement to the knowledge of the Sublime Porte, which has accepted them. Conferences have in consequence been held between the two Parties, who have agreed upon the following points:

Payment of Indemnity to Russia.

ART. I. The above-named sum of 160,000 purses, that is to say, 80,000,000 Turkish piastres, shall be paid by the Sublime

* For French version see "State Papers," vol. xxiv, p. 1078.

Porte to the Imperial Court of Russia, in specie, within a delay which shall not exceed 5 months, reckoning from this day to the $\frac{15}{27}$th August of the current year 1836, corresponding to the 9 Djemaziul-evvel of the year of the Hegira, 1252.

Date of Instalments.

ART. II. In the space of 15 days, reckoning from the date of the signature of this Instrument, one instalment of 50,000 purses shall be paid; 15 days later another instalment of 17,000 purses shall be paid; and at the end of two months, reckoning from this day of signature, the further sum of 33,000 purses shall be paid. The balance, which will consist of 60,000 purses, shall be paid by degrees in the course of the 3 following months. The money shall be consigned, as hitherto, into the hands of the Russian Mission at Constantinople.

Evacuation of Fortress of Silistria by Russia.

ART. III. When, by the grace of God, the above-mentioned sum of 160,000 purses shall have been entirely paid, the Fortress of Silistria, which is temporarily occupied by the Imperial Russian troops, shall be entirely evacuated, and delivered over to the officer who shall have been charged by the Sublime Porte to take possession and have command of it on her part; and in the meantime preparations shall be made for its evacuation.

If the money in question can be paid within a shorter delay than that of the 5 months which has been fixed for effecting the payment, the evacuation of Silistria shall in that case take place, as has been agreed upon in the Conferences.

In virtue of the Full Powers received by His Excellency the Russian Envoy, on the part of His Imperial Majesty and by me, on the part of the Sublime Porte, we have agreed upon the 3 points above recited, and have signed the present Instrument, which establishes the happy result of the negotiations that have been entrusted to our care and to our zeal, and which is done in two originals, of which one is written in the Turkish language, and the other in the French language, the 9 Zilhidgé, 1252 (27th March, 1836).

(L.S.) BOUTENEFF.
(L.S.) MEHEMED AKIF EFFENDI.

No. 179.—*CIRCULAR of the Government of Saxony to the Courts of Great Britain, Austria, France, Prussia, and Russia, relative to the Rights of the House of Schönburg. London, 3rd September,* 1836.

[*Résumé.*—RECOGNITION of Privileges and Rights secured to the House of Schönburg by the Treaty of 4th May, 1740,* and the Declaration of the 18th May, 1815 (**No. 17**), and confirmed by Art. IX, § 5, of the Additional Convention between Saxony and Schönburg of the 9th October, 1835.]

Translation.†

ART. IX, § 5. "Inasmuch as, by the provisions of the present Article, the House of Schönburg is completely secured in the possession of its Conventional Rights, and that in consequence thereof the object of the Declaration made at Vienna, with regard to the Treaties of the year 1740, by the late King Frederick Augustus, on the 18th of May, 1815 (**No. 17**), and which was communicated to the Courts of Russia, Austria, France, England, and Prussia, is attained; so, on their side, the Lords and Counts of Schönburg renounce entirely, and in the most formal manner, all recourse to the said 5 Courts, which might ensue from the beforementioned Declaration, that is to say, from the period that the German Diet consented to take upon itself the protection stipulated in the preceding paragraph.

"The Royal Government of Saxony reserves to itself the making of the present Convention known to the 5 Courts."

* See Appendix.

† For French version, see "State Papers," vol. xxv, p. 1102.

No. 180.—*BOUNDARY ACT between Prussia and Russia. Signed at Tarnowitz, $\frac{1st}{13th}$ December, 1836.*

TABLE.

Preamble. Reference to Treaty of $\frac{20th\ February,}{4th\ March}$ 1835.
Act of Delimitation.

(Translation.)

Reference to Treaty of $\frac{20th\ February,}{4th\ March,}$ 1835.

His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, King of Poland, having, by the Treaty of $\frac{20th\ February,}{4th\ March,}$ 1835 (**No. 175**), definitively fixed the Limits between the Sovereign Duchy of Silesia and the Kingdom of Poland, and wishing definitively to define that Frontier by Posts, in conformity with Art. LIV of the said Treaty, have appointed as Demarcation Commissioners, namely:

On the part of His Majesty the King of Prussia, the Sieur Jean Ferdinand Neigebaur, Intimate Councillor of Justice, &c.; and

On the part of His Majesty the Emperor of All the Russias, King of Poland, the Sieur Ernest Theophile Faltz, Actual Member of the Council of State of the Kingdom of Poland, &c.;

Who having gone to the spot, have proceeded to the planting of the Posts, and to the drafting by sworn Geometrical Experts, of the Plans describing that Frontier, by drawing up the present

Act of Delimitation.

The Limits fixed by the present Act determine the Frontier between the two States, starting from the point where the Limits between the Grand Duchy of Posen and the Kingdom of Poland reach on the Prosna, the Ancient Frontier of Silesia and Poland, as far as the point where it reaches the Territory of the Republic of Cracow.

That Line of Demarcation commences on the Prosna at the point of contact of the Villages Siemianice in the Grand Duchy of Posen, Kostau in Silesia, and Chroscin in Poland.

[Boundaries.]

(Here follows a detailed description of the places at which 215 Posts have been erected).

In testimony whereof the respective Plenipotentiaries have signed this Act of Demarcation and have affixed thereto the Seal of their Arms.

Done at Tarnowitz, $\frac{1st}{13th}$ December, 1836.

(L.S.) NEIGEBAUR.
(L.S.) FALTZ.

No. 181.—*TREATY between Hanover and Prussia, for the regulation of the disputed Frontiers on the Banks of the Weser. Signed at Bückeburg, 25th November, 1837.*

ART. TABLE.

Preamble. Reference to Treaties of 29th May and 23rd September, 1815.

1. Hanover cedes the Villages of *Ovenstedt* and *Hävern* to *Prussia*, and *Prussia* cedes the Villages of *Glissen*, *Halle*, *Brüninghorstedt*, and *Westernfeldt* to *Hanover*, in full Sovereignty.
2. *Prussia* cedes to *Hanover* the length of Causeway from *Lemförde* to *Bohmte*, through the Village of *Reiningen*.
3. The Villages ceded by *Prussia* contain more Inhabitants than those ceded by *Hanover*. The difference is to be deducted from the 1,654 Souls due to *Hanover*, and *Prussia* will pay a Poll-tax for the remainder, or a capital sum to redeem the obligation.
4. Reciprocal renunciation of Rights over the ceded Villages.
5. Boundary line from the Hanoverian Village of *Wiedensahl*, and the Prussian Village of *Rosenhagen*, to the Hanoverian Parish of *Lär* and the Prussian Town of *Versmold*.
6. Renunciation of previous Rights on each side of the Boundary line.
7. Revenues follow the cession of Territory.
8. Communications to be free for Subjects of both Parties and exempt from Tolls.
9. Justiciary and Police Regulations for the Frontier.
10. Hunting and Fishing Rights pass with the ceded Territory.
11. Domanial and Proprietary Rights belonging to the State are not ceded.
12. Rights of Private Persons and Corporations remain as before.
13. Rights and Obligations of Communal or Manorial Unions not to be restricted.
14. State Debts of the ceded Villages are to be considered as equalised.
15. Persons belonging to the ceded places, who are in Military Service to be sent home.
16. Insurance of Buildings in the ceded places to pass over to the State to which they are to belong.
17. Ecclesiastical and Educational Establishments to remain as they are for the present.
18. Archives and Documents to be delivered over in original or attested copy.
19. Map of the Boundary line to be prepared, and the line to be duly marked.
20. Boundary line to be inspected every 5 years.
21. All improper interference with the Boundary line and Marks to be punished.
22. If, after the Ratification of the Treaty, any error should be discovered in the definition of the Boundary line, the Commissioners of the Parties are authorised to correct it.
23. Ratifications.

[Boundaries.]

(Translation.)

Reference to Treaties of 29th May; and 23rd September, 1815.

WHEREAS the Treaties of 29th May (**No. 21**); and 23rd September, 1815 (**No. 35**), between Prussia and Hanover have been carried out so far as they relate to the Cession of Territory, up to the transfer of 1,654 souls still due to Hanover in regard to the lower county of Lingen, but various difficulties have arisen respecting that transfer, and Prussia has expressed a wish to discharge her obligation in some other way, partly at least, than the actual transfer of subjects, and Hanover has taken that wish into consideration;

Whereas, moreover, it is considered expedient to adjust the Boundary, in several places doubtful and disputed, on the right bank of the Weser from the Hanoverian village of Wiedensahl and the Prussian village of Rosenhagen, as well as from the so-called Bückeburger Waldthor (the Place where the Hanoverian, Prussian, and Lippe-Bückeburg boundaries meet) to the Boundary stone on the post-dam from the Hanoverian parish of Lär to the Prussian town of Versmold;

And finally for the attainment of a suitable Boundary, it is desirable to remove by an exchange the disproportions in regard to the so-called mixed villages situated on the Boundary;

Therefore Plenipotentiaries have been appointed for these purposes:

By Prussia, President Charles Richter, Knight, &c.;

By Hanover, Councillor John Paul Wehner, Knight, &c.;

Who, after exchanging their Full Powers, have agreed upon the following stipulations:

ARTS. I. to XXIII. (See Table.)

Done at Bückeburg, 25th November, 1837.

(L.S.) CARL RICHTER.

(L.S.) JOHANN PAUL WEHNER.

No. 182.—*FIRMAN of the Sultan, respecting Servia. 24th December*, 1838.*

TABLE.

Internal Administration. Prince of Servia.
Attributes of the three Functionaries.
Composition of the Tribunals for Legal Matters.

(Translation as laid before Parliament.†)

Statute in the shape of a Firman granted by His Highness to the inhabitants of the Province of Servia.

To my Vizier Mouhliss Pasha (may he be glorified), and to the Prince of the Servian nation (Milosch Obrenovitz), may his end be happy.

Internal Administration. Prince of Servia.

IN virtue of the Privileges and Immunities granted to the inhabitants of my Province of Servia on account of their fidelity and of their devotion (**Nos. 131, 169**), and in conformity with the tenour of several Hatti-sheriffs issued previously (**Nos. 146, 150, 169**) and at different dates on my part, it has become necessary to grant to the said province an Internal Administration, and a stable, special, and privileged national Statute, on condition that the Servians punctually discharge for the future the duties of fidelity and obedience, and pay exactly at the appointed periods to my Sublime Porte the Tax, whereof the exaction has been fixed and determined upon.

In conformity then with the Organic Statute which I have just granted to the Servian nation, the dignity of Prince is conferred upon thee and upon thy family in recompense of thy fidelity and of thy devotion, and agreeably to the contents of the Imperial Berat which thou hadst previously received.

The Internal Administration of the Province is entrusted to thy faithful care, and 4,000 purses of annual revenue are assigned unto thee for thine own disbursements. I confide unto thee, at the same time, the appointment of the different officers of the Province, the execution of the established Regulations and Laws,

* See also General Treaty of 30th March, 1856, Arts. XXVIII and XXIX; and Protocol of 4th September, 1862.

† For French version, see "State Papers," vol. xxvii, p. 811.

the chief command of the garrisons necessary for the Police and for preserving from all infraction the good order and tranquillity of the country, the duty of levying and receiving the public Taxes and Imposts, of giving to all the officers and functionaries of the Province the orders and directions for their conduct which may be requisite, of inflicting the punishments to which the guilty shall have been condemned according to the Regulations, and I grant unto thee the right of pardoning, under suitable limitations, or at least of modifying the punishments.

These powers being entrusted unto thee, thou wilt consequently possess the absolute right, for the good administration of the country and of the inhabitants, whereof the duties are imposed upon thee, to select, nominate, and employ 3 persons, who, placed under thy orders, shall form the Central Administration of the Province, and shall occupy themselves, one with the affairs of the interior, another with the finances, and the third with the legal affairs of the country.

Thou shalt constitute a private Chancery, which shall be under the direction of thy Lieutenant, the Pristavnik, whom thou shalt charge with the delivery of Passports and with the direction of the relations subsisting between the Servians and the Foreign Authorities.

There shall be formed and organised a Council composed of the Primates and of the persons of the greatest consideration among the Servians.

The number of the Members of this Council shall be 17, one of whom shall be the President. No person who is not a Servian by birth, or who shall not have received the character of a Servian in conformity with the Statutes, who shall not have attained the age of 35 years, or who is not in possession of real Property, can form part of the National Council, nor be reckoned among the number of its members.

The President of the Council, as well as the Members, shall be selected by thee, on condition that they be perfectly well known among their fellow-citizens, by their capacity and their character for rectitude, for having rendered some services to their country, and for having merited general approbation. After the selection of the Members of the Council and their nomination, and previously to their entrance into office, each and all of them, beginning with thyself, shall swear in the presence of the Metropolitan that they undertake to do nothing contrary

to the interest of the nation, to the obligations which their offices impose upon them, to those of their conscience, or to my Imperial will. The sole duty of the Council will be to discuss the public interests of the nation, and to afford unto thee its services and its aid.

No statute shall be adopted, no new Tax levied, without its having been in the first instance and previously adopted and approved by the Council.

The Allowances of the Members of the Council shall be fixed by thee, by common consent and in a suitable manner, and when they shall have met together in the place where the Central Administration of the Principality is fixed, the circle of their activity shall be confined and limited to the following matters :—

To discuss and decide upon questions and matters concerning the Institutions and Laws of the country, justice, taxes, and other contributions.

To fix the allowances and emoluments of all the servants of the country, as likewise to create new offices if there should be occasion for them.

To estimate the expense annually requisite for the administration of the country, and to deliberate upon the means most suitable and best adapted for imposing and levying the contributions by which the expenditure is to be met.

And, finally, to deliberate upon the compilation of a law which shall specify the number, the pay, and the service of the national troops entrusted with the maintenance of good order and tranquillity in the country.

The Council shall have the right of drawing up the draft of any law which shall appear to it to be beneficial, and of submitting it after the President and Secretary of the Council shall have affixed their signature thereto; on condition, nevertheless, that such law in no way affects the legal rights of the Government of my Sublime Porte, which is master of the Country. In the questions debated in the Council, the decision which shall have had in its favour the majority of voices, shall be adopted.

The Council shall have the right to demand every year, in the course of March and April, from the 3 Directors above mentioned, a summary of their proceedings during the course of the year, and to examine their accounts.

The 3 High Functionaries, Directors of Internal Affairs, of the Finances, and of Justice, as likewise the Director of the

Chancery, so long as they exercise their functions, shall form part of the Council, after having taken the oath. The 17 members of the Council cannot be dismissed without cause, unless it shall be made evident to my Sublime Porte that they have been guilty of some offence or infraction of the laws and statutes of the Country.

There shall be chosen and nominated from among the Servians a Kapu Kiaja, who shall continue to reside at my Sublime Porte and carry on the affairs of the Servian nation, in conformity with sovereign intentions, and with the national institutions and privileges of Servia.

Attributes of the 3 Functionaries.

The affairs of the Police, and of the Quarantine, the transmission of the Prince's orders to the authorities of the districts of the Country, the direction of the establishments of public utility and of the Post, the repair of the high roads, and the execution of the Regulations respecting the Troops of the Country, shall all be within the province of the officer charged with the affairs of the Interior.

The officer charged with the administration of Finance will have to revise the accounts, to make Commerce prosper, to look after and manage the Public Revenue, the amount of which shall be fixed by the laws of the Country, to cause the laws with regard to Commerce and Financial Affairs to be carried into effect, to settle the expenses of the Country according to the accounts drawn up by the other officers. He will take care to keep the Register of the Public and Private Property, as well as of the Real Estates, both of the Country and of the Government, and of the management of the Mines and of the Forests, as also of the other affairs which relate to his department.

The Director charged with the administration of Justice, having also within his province the Department of Public Instruction and the diffusion of Science, will have to examine and watch whether the sentences which have been passed have been executed or not, to hear and write down the complaints which may be made against the Judges, to examine the qualification of those who are called upon to administer justice, and to cause them to deliver to him every 3 months the return of all the causes which have been decided during that period; to interest himself in the state and in the condition of the Prisons, and to improve them. He will also

occupy himself in forming the public character by the establishment of new Schools and in encouraging Instruction in necessary knowledge. He will have to inspect the Hospitals and other establishments of public utility, and will put himself in correspondence with the administrators of the Churches for the purpose of regulating all that relates to Religion, to Worship, and to the Churches.

No person who is not a Servian by birth, or who may not have been naturalized, according to the fundamental laws of the Country, as a Servian, can hold any of the 3 situations above mentioned.

The 3 Directors in question shall be independent of each other in the exercise of their respective functions, none being subject to the other, and each shall have his office apart from the others.

The Department of each of them shall be divided into several offices and sections, and every official paper emanating from any one of them on State business must be signed by each respectively; and, moreover, any case which may come within the province of the Departments belonging to them respectively, cannot be acted upon without having been previously countersigned by the head of the Department, and, in like manner, no order and no case can be acted upon without having been previously entered and registered in the books of the office to which they belong.

The 3 Directors must, in the months of March and April in each year, make an abstract of all the business which has been carried on in their own offices and in those which are subordinate to them, with a statement in detail, and present it, signed and sealed by them, as well as by the heads of Departments, to be examined by the Council of the Province.

Composition of the Tribunals for Legal Matters.

It is my express will that the Inhabitants of Servia, subjects of my Sublime Porte, shall be protected in their properties, their persons, their honour, and their dignity; and this same Imperial will is opposed to any individual whatever being deprived without trial, of his rights of citizenship, or exposed to any vexation or punishment whatsoever: wherefore it has been judged consistent with the laws of social wants and with the principles of justice, to establish in the Country several kinds of Courts, in order to punish the guilty or to do justice to every individual, public or

private, in conformity with the statutes, and after the right and justification, or, on the contrary, the fault and the criminality, of each shall have been decided by a trial.

Accordingly, no Servian shall be exposed to the law of retaliation or to any other punishment, corporal or pecuniary, that is to say, fine, before that, in conformity with the terms of the law, he shall have been tried and condemned before a Court. The established Courts shall take cognizance, according to law, of matters under litigation, of commercial disputes, and shall examine into and determine definitively upon crimes and offences; and in no case shall the punishment of confiscation of property be inflicted.

The children and kinsmen of the guilty shall not be responsible for the fault of their fathers, nor punished for them. Three Courts are instituted for the administration of justice in Servia.

The first shall be established in the Villages, and composed of old men of the place, and called Court of Peace.

The second shall be the Court of First Instance, established in each of the 17 Districts of which Servia is composed.

The third shall be the Court of Appeal at the seat of Government.

The Court of Peace of each Village shall be composed of a President and two Assessors, elected by the inhabitants of the place; and each of these Village Courts shall not have cognizance of any matter above 100 piastres. Furthermore, they shall not inflict punishments exceeding an imprisonment of 3 days and 10 blows. Causes can only be there pleaded and decided upon summarily and verbally. The sentences of the two other Courts alone shall be drawn up in writing. The Village Court must send before the Court of the District of which it forms part a suit of more than 100 piastres, and the trial of a charge which involves a punishment of more than 10 blows, and likewise the plaintiff and the defendant.

The District Court, which is to take cognizance in the first instance of a case, shall be composed of a President, of 3 Members, and a sufficient number of Registers. The President and the Assessors of the Court of First Instance who shall not have attained to the age of 30 years, shall not be entitled to be thereunto appointed. This Court shall have the right of examining into, and determining upon, as well law-suits as crimes, offences, and commercial disputes.

A delay of 8 days shall be allowed to every person who, having lost his suit before the Court of First Instance of his District, may be desirous of appealing from it to the Court of Appeal. And if, within the space of 8 days, the said person who has lost his suit shall not have appealed to the Court of Appeal, the sentence of the District Court shall be valid, and carried into effect. The Court of Appeal shall only have exclusive cognizance of the revision and decision of the causes and disputes which shall have already been brought before the Court of First Instance, and both the President of the Court of Appeal, and also the 4 members who shall be associated with him, must absolutely be 35 years old.

The members of the Servian Courts must be Servians by birth, or naturalised as such, in conformity with the statutes. As regards the suits which are carried from one Court to another, the President of each Court must deliver to the plaintiff and to the defendant an abstract of the sentence, under his hand and seal.

The members of the Village Courts of Peace cannot be members of the two other Courts. If one of the members of these two Courts should die, his successor must be chosen from among the lawyers who shall have held offices in the Courts; and among these, the senior in age or service shall be appointed in his turn.

No member of the Court shall be dismissed on the charge of having deviated from his duties before the matter shall be legally proved according to the statutes. When officers having military or civil rank, or priests, after their crime shall have been solemnly proved in consequence of a judgment according to the statutes, shall have been condemned to be punished, as corporal punishment cannot be inflicted on these persons, they shall be punished either by severe reprimand, or by imprisonment, or by degradation, or, finally, by banishing them to another place. No officer of the Principality, civil or military, high or low, shall take part in the business of the 3 Courts aforesaid, but they shall only be called upon to execute their sentences.

Commerce being free in Servia, every Servian may freely exercise it, and the slightest restriction upon that freedom shall never be allowed, unless the Prince, however, in concert with the Council of the Country, should deem it a matter of urgency to impose a temporary restriction upon some article or other.

Every Servian acting in conformity with the laws of the State is at full liberty to sell his own goods and properties, to dispose thereof at pleasure, and to bequeath them by will. He cannot be deprived of this right except by a legal sentence of one of the Courts established in the country.

Every Servian who shall have a law-suit must have recourse to the Court of the District which he inhabits; he can only be summoned before the Court of the District in which he resides.

All forced labour is abolished in Servia, and no forced labour shall be imposed upon any Servian.

The expense occasioned by the maintenance and keeping in order of the bridges and highways shall be apportioned among the municipalities of the villages in the neighbourhood.

In like manner as the Central Administration of the Principality is entrusted with the direction and care of the main post routes, of the bridges, and other buildings of public utility, individuals must also know that it is necessary on their part to direct their own zeal and attention to that object.

Thou shalt fix, in concert with the Council, and equitably, a daily payment for the poor who are employed on these works; in the same manner as thou shalt agree with the Members of the Council to assign fixed annual salaries to all those who are employed in the different services of the Principality of the country.

Any officer who for a legal cause shall be desirous of retiring after a certain number of years of service, shall be at liberty to do so; the suitable pension which he shall have deserved shall be assigned to him after his retirement.

Every employment, whether civil, military, or judicial, shall be conferred in Servia by an ordinance of the Prince, on condition that every officer shall, in the first instance, commence by the lower ranks, and shall be, progressively and after having been tried, promoted to the superior ranks and employments.

Lawyers entrusted with judicial offices shall never be at liberty to change the nature of their employment, and to occupy places other than those in the Courts, and devoting themselves exclusively to their improvement in judicial matters. No civil or military officer shall be employed, even temporarily, in the Courts.

The Servian Rayahs, tributary to the Sublime Porte, being Christians of the Greek Religion, otherwise called the Church of

the East, I grant to the Servian nation full liberty to observe the usual forms of their religion, and to choose from amongst themselves, with thy concurrence and under thy superintendence, their archbishops and bishops, provided that they shall be subject to the spiritual power of the patriarch residing at Constantinople, considered as the head of the religion and of its synod. And as in virtue of the privileges and immunities granted of old to the Christians, inhabitants of the Ottoman Empire since the Conquest, the administration of the affairs of religion and of the Church, as long as it does not interfere with political matters, should belong entirely to the heads of the clergy, as likewise the assignment on the part of the nation of the allowances to their metropolitans, bishops, *igouménés*, and priests, as well as to the religious establishments belonging to the Church; the same rule shall be observed with regard to the allowances and preferment of the metropolitans and bishops in Servia. Places shall be appointed for the meeting of the special council of metropolitans and bishops for the purpose of regulating religious affairs, the affairs of the metropolitans and bishops, as well as those of the priests, and those relating to the churches of the country.

The *sipahiliks*, the *timars*, and the *ziamets*, having been abolished in Servia, this old custom shall never be introduced there for the future. Every Servian, great or small, is liable to the payment of taxes and contributions. The Servians of a certain rank employed in the business and in the offices of the country shall pay their quota in proportion to the property and lands which they possess; the clergy alone shall be exempted from the payment of taxes. Servia being composed of 17 districts, and each district comprising several cantons, which, again, are composed of several villages and municipalities, each head of a district shall have an assistant, a clerk, a treasurer, and other officers who may be required. The chiefs of districts shall occupy themselves with the execution of the orders which may reach them from the central Government of the Principality relating to all the affairs of internal administration which belong to their functions; they will confine themselves to imposing and levying the contributions according to the registers which they will receive from the Finance Department; and they will not meddle with the disputes to which the levy of the taxes in their districts may give rise, but they will content themselves with referring to the District Court the disputes and law-suits which

take place, reserving to themselves only the execution of the sentence of the Court.

The chief of a district shall employ his efforts for the preservation of the goods and lands of the villages from all injury, and for the protection of the people from evil-disposed persons, and from vagabonds, and from persons without character. He must inspect the passports of all persons arriving within his district, or departing from thence; he cannot keep a person in prison beyond 24 hours; but he will send to the District Court the differences and suits which may arise in his district, and apply to the head of the police of the district, if the differences are matters of police. He must, moreover, watch over the Village Courts of Peace, and be careful not to meddle with the affairs of the churches and village schools, nor touch the revenues and lands which depend on other pious establishments. As regards the lands and properties assigned to the churches, boroughs, inhabitants, and establishments of public utility, as well as those belonging to individuals, there shall be delivered to each separately documents establishing the right of property, and these shall, moreover, be registered in the offices of the country.

Every Servian, in general, and without exception, shall be exempt from persecution or molestation, covert or open, before he has been cited and tried before the Courts.

My Imperial will having settled and established the aforesaid Regulations, this Imperial Firman has been drawn up expressly in order to communicate them unto thee, and has been sent unto thee decorated with my illustrious Imperial signature. I order thee, therefore, to watch over the security of that Imperial province, as well internally as externally, having entrusted the rule thereof to thee and to thy family only on the express condition of obedience and of submission to the orders proceeding from me, to ensure the prosperity thereof, to employ thy efforts to devise means for securing to all the inhabitants repose and tranquillity, to respect the position, the honour, the rank, and the services of each; and above all, to take care that the clauses and statutory conditions above expressed are carried into execution wholly and for ever, thus applying all thy zeal to draw down upon my Imperial person the prayers and blessings of all classes of the inhabitants of the country, and in this manner to confirm and justify my sovereign confidence and benevolence towards thee.

In like manner I enjoin all the Servians in general to submit

themselves to the orders of the Prince, acting in accordance with the statutes and institutions of the country, and carefully to conform themselves to what is necessary and fitting. I command that this Imperial Hatti-sheriff be published, in order that the nation may have cognizance thereof; that every one, impressed more and more with gratitude for these concessions and benefits granted by my sovereign munificence to all alike, shall conduct himself under all circumstances in such a manner as to merit my approbation, and that the clauses of the present Statute be executed, word for word and for ever, without any infringement thereof at any time.

And thou likewise, my Vizier, thou shalt so understand it, and thou shalt join thy efforts to those of the Prince for the exact and strict execution of this present Imperial Firman.

Issued in the month of Shewal, 1254 (about the 24th December, 1838).

No. 183.—*TREATY between Great Britain, Austria, France, Prussia, and Russia, on the one part, and The Netherlands, on the other. Signed at London, 19th April, 1839.**

ART. TABLE.

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ANNEX.

1. Composition of *Belgian* Territory.
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* See also Treaties of 5th November, 1842; 8th August, 1843; and 11th May, 1867, respecting Luxemburg. See also Treaties between Belgium and Netherlands, and between 5 Powers and Belgium of the same date.

[Holland and Belgium. Luxemburg and Limburg.]

(Translation as laid before Parliament.*)

Reference to Treaties of 14th October, 1831; and 15th November, 1831.

In the Name of the Most Holy and Indivisible Trinity.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the French, His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, having taken into consideration their Treaty concluded with His Majesty the King of the Belgians, on the 15th of November, 1831 (**No. 153**); and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, being disposed to conclude a Definitive Arrangement on the basis of the 24 Articles agreed upon by the Plenipotentiaries of Great Britain, Austria, France, Prussia, and Russia, on the 14th of October, 1831; their said Majesties have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Frederic Christian Louis, Count de Senfft-Pilsach, Chamberlain and Privy Councillor of His Imperial and Royal Apostolic Majesty, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, &c.;

His Majesty the King of the French, the Sieur Horace Francis Bastien, Count Sebastiani-Porta, a Lieutenant-General in his armies, a Member of the Chamber of Deputies of France, his Ambassador Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of Prussia, the Sieur Henry William, Baron de Bülow, his Chamberlain, Privy Councillor of Legation, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Charles

* For French version, see "State Papers," vol. xxvii, p. 990.

Andrew, Count Pozzo di Borgo, a General of Infantry in his Armies, his Aide-de-Camp General, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the King of the Netherlands, Grand Duke of Luxemburg, the Sieur Solomon Dedel, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:—

*Treaty to be entered into between Belgium and the Netherlands.**

ART. I. His Majesty the King of the Netherlands, Grand Duke of Luxemburg, engages to cause to be immediately converted into a Treaty with His Majesty the King of the Belgians, the Articles annexed to the present Act, and agreed upon by common consent, under the auspices of the Courts of Great Britain, Austria, France, Prussia, and Russia.

Articles annexed to have same Force as Treaty.

ART. II. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the French, His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, declare that the Articles mentioned in the preceding Article, are considered as having the same force and validity as if they were textually inserted in the present Act, and that they are thus placed under the guarantee of their said Majesties.

Union between Holland and Belgium dissolved.

ART. III. The Union which has existed between Holland and Belgium, in virtue of the Treaty of Vienna of the 31st of May, 1815 (**No. 22**), is acknowledged by His Majesty the King of the Netherlands, Grand Duke of Luxemburg, to be dissolved.

Ratifications.

ART. IV. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London at the expiration of 6 weeks, or sooner, if possible. The exchange of these Ratifications shall

* See Treaty between Belgium and the Netherlands of the same date, page 994.

take place at the same time as that of the Ratifications of the Treaty between Holland and Belgium.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto the Seal of their Arms.

Done at London, the 19th day of April, in the year of Our Lord, 1839.

(L.S.) PALMERSTON. (L.S.) DEDEL.
(L.S.) SENFF
(L.S.) H. SEBASTIANI.
(L.S.) BULOW.
(L.S.) POZZO DI BORGO.

Annex to the Treaty signed at London, on the 19th of April, 1839, between Great Britain, Austria, France, Prussia, and Russia, on the one part, and the Netherlands, on the other part.

Composition of Belgian Territory.

Art. I. The Belgian Territory shall be composed of the Provinces of—

South Brabant;
Liege;
Namur;
Hainault;
West Flanders;
East Flanders;
Antwerp; and
Limburg;

such as they formed part of the United Kingdom of the Netherlands constituted in 1815, with the exception of those Districts of the Province of Limburg which are designated in Article IV.

The Belgian Territory shall, moreover, comprise that part of the Grand Duchy of Luxemburg which is specified in Article II.

Limits of Belgian Territory in Grand Duchy of Luxemburg.

Art. II. In the Grand Duchy of Luxemburg, the limits of the Belgian Territory shall be such as will be hereinafter described, viz.:—

Commencing from the Frontier of France between Rodange,

which shall remain to the Grand Duchy of Luxemburg, and Athus, which shall belong to Belgium, there shall be drawn, according to the annexed Map, a line which, leaving to Belgium the road from Arlon to Longwy, the Town of Arlon with its district, and the road from Arlon to Bastogne, shall pass between Messancy, which shall be on the Belgian Territory, and Clemancy, which shall remain to the Grand Duchy of Luxemburg, terminating at Steinfort, which place shall also remain to the Grand Duchy. From Steinfort this line shall be continued in the direction of Eischen, Hecbus, Guirsch, Ober-Pallen, Grende, Nothomb, Parette, and Perlé, as far as Martelange: Hecbus, Guirsch, Grende, Nothomb, and Parette, being to belong to Belgium, and Eischen, Ober-Pallen, Perlé, and Martelange, to the Grand Duchy. From Martelange the said line shall follow the course of the Sure, the waterway (Thalweg) of which River shall serve as the limit between the two States, as far as opposite to Tintange, from whence it shall be continued, as directly as possible, towards the present Frontier of the Arrondissement of Diekirch, and shall pass between Surret, Harlange, and Tarchamps, which places shall be left to the Grand Duchy of Luxemburg, and Honville, Livarchamps, and Loutremange, which places shall form part of the Belgian Territory. Then having, in the vicinity of Doncols and Soulez, which shall remain to the Grand Duchy, reached the present Boundary of the Arrondissement of Diekirch, the line in question shall follow the said Boundary to the Frontier of the Prussian Territory. All the Territories, Towns, Fortresses, and places situated to the west of this line, shall belong to Belgium; and all the Territories, Towns, Fortresses, and places situated to the east of the said line, shall continue to belong to the Grand Duchy of Luxemburg.

It is understood, that in marking out this line, and in conforming as closely as possible to the description of it given above, as well as to the delineation of it on the Map, which, for the sake of greater clearness, is annexed to the present Article, the Commissioners of Demarcation, mentioned in Article V, shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom.

Territorial Indemnity to Holland in the Province of Limburg.

Art. III. In return for the cessions made in the preceding Article, there shall be assigned to His Majesty the King of the

Netherlands, Grand Duke of Luxemburg, a Territorial Indemnity in the Province of Limburg.

Limits of Dutch Territory in Province of Limburg.

ART. IV. In execution of that part of Article I which relates to the Province of Limburg, and in consequence of the cessions which His Majesty the King of the Netherlands, Grand Duke of Luxemburg, makes in Article II, His said Majesty shall possess, either to be held by him in his character of Grand Duke of Luxemburg, or for the purpose of being united to Holland, those Territories, the limits of which are hereinafter described.

1st. On the right bank of the Meuse: to the old Dutch *enclaves* upon the said bank in the Province of Limburg, shall be united those districts of the said Province upon the same bank, which did not belong to the States General in 1790; in such wise that the whole of that part of the present Province of Limburg, situated upon the right bank of the Meuse, and comprised between that River on the west, the Frontier of the Prussian Territory on the east, the present Frontier of the province of Liege on the south, and Dutch Guelderland on the north, shall henceforth belong to His Majesty the King of the Netherlands, either to be held by him in his character of Grand Duke of Luxemburg, or in order to be united to Holland.

2nd. On the left bank of the Meuse: commencing from the southernmost point of the Dutch Province of North Brabant, there shall be drawn, according to the annexed Map, a line which shall terminate on the Meuse above Wessem, between that place and Stevenswaardt, at the point where the Frontiers of the present Arrondissements of Ruremonde and Maestricht meet, on the left bank of the Meuse; in such manner that Bergerot, Stamproy, Neer-Itteren, Ittervoordt, and Thorn, with their districts, as well as all the other places situated to the north of this line, shall form part of the Dutch Territory.

The old Dutch *enclaves* in the province of Limburg, upon the left bank of the Meuse, shall belong to Belgium, with the exception of the town of Maestricht, which, together with a radius of territory, extending 1,200 *toises* from the outer glacis of the fortress, on the said bank of this River, shall continue to be possessed, in full Sovereignty and Property, by His Majesty the King of the Netherlands.

King of the Netherlands to come to an Agreement with Germanic Confederation and Nassau.

ART. V. His Majesty the King of the Netherlands, Grand Duke of Luxemburg, shall come to an Agreement with the Germanic Confederation, and with the Agnates of the House of Nassau, as to the application of the stipulations contained in Articles III and IV, as well as upon all the arrangements which the said Articles may render necessary, either with the above-mentioned Agnates of the House of Nassau, or with the Germanic Confederation.*

Reciprocal Renunciation of Territories.

ART. VI. In consideration of the territorial arrangements above stated, each of the two Parties renounces reciprocally and for ever, all pretension to the Territories, Towns, Fortresses, and Places situated within the limits of the possessions of the other Party, such as those limits are described in Articles I, II, and IV.

The said limits shall be marked out in conformity with those Articles, by Belgian and Dutch Commissioners of Demarcation, who shall meet as soon as possible in the town of Maestricht.

Belgium to form an Independent and Neutral State.†

ART. VII. Belgium, within the limits specified in Articles I, II, and IV, shall form an Independent and perpetually Neutral State. It shall be bound to observe such Neutrality towards all other States.

Drainage of Waters of the Two Flanders.

ART. VIII. The drainage of the waters of the Two Flanders shall be regulated between Holland and Belgium, according to the stipulations on this subject contained in Article VI of the Definitive Treaty concluded between His Majesty the Emperor of Germany and the States-General, on the 8th of November, 1785,‡ and in conformity with the said Article, Commissioners, to be named on either side, shall make arrangements for the application of the provisions contained in it.

* See Act of Accession of Germanic Confederation of 19th April, 1839 and Convention of 27th June, 1839.

† See Treaties of 9th and 11th August, 1870.

‡ See Appendix.

Navigation of the Scheldt and the Meuse.*

ART. IX. § 1. The provisions of Articles CVIII to CXVII, inclusive, of the General Act of the Congress of Vienna (**No. 27**), relative to the Free Navigation of navigable Rivers, shall be applied to those navigable Rivers which separate the Belgian and the Dutch territories, or which traverse them both.

§ 2. So far as regards specially the Navigation of the Scheldt,† and of its mouths, it is agreed, that the Pilotage and the Buoying of its channel, as well as the conservation of the channels of the Scheldt below Antwerp, shall be subject to a joint superintendence; and that this joint superintendence shall be exercised by Commissioners to be appointed for this purpose by the two Parties. Moderate Pilotage Dues shall be fixed by mutual agreement, and those dues shall be the same for the vessels of all nations.

In the meantime, and until these dues shall be fixed, no higher Pilotage Dues shall be levied than those which have been established by the Tariff of 1829, for the mouths of the Meuse from the High Sea to Helvoet, and from Helvoet to Rotterdam, in proportion to the distances. It shall be at the choice of every vessel proceeding from the High Sea to Belgium, or from Belgium to the High Sea, to take what pilot she pleases; and upon the same principle it shall be free for the two countries to establish along the whole course of the Scheldt and at its mouths, such Pilotage establishments as shall be deemed necessary for furnishing Pilots. Everything relating to these establishments shall be determined by the regulation to be concluded in conformity with § 6 hereinafter following. These establishments shall be placed under the joint superintendence mentioned in the beginning of the present paragraph. The two Governments engage to preserve the navigable channels of the Scheldt, and of its mouths, and to place and maintain therein the necessary beacons and buoys, each for its own part of the River.

§ 3. There shall be levied by the Government of the Netherlands, upon the navigation of the Scheldt and of its mouths, a single duty of 1fl. 50c. per ton, that is to say, 1fl. 12c. on vessels which, coming from the High Sea, shall ascend the

* The Scheldt Toll was redeemed in 1863, see Treaties of 16th July, 12th May, and 3rd August, 1863.

† The Regulations between Belgium and Netherlands for the Navigation of the Scheldt were drawn up in October, 1839; but they were cancelled by the Regulations of 20th May, 1843.

Western Scheldt in order to proceed to Belgium by the Scheldt or by the Canal of Terneuze; and of 38c. per ton on vessels which, coming from Belgium by the Scheldt or by the Canal of Terneuze, shall descend the Western Scheldt in order to proceed to the High Sea. And in order that the said vessels may not be subject to any visit, nor to any delay or hindrance whatever within the Dutch waters, either in ascending the Scheldt from the High Sea, or in descending the Scheldt in order to reach the High Sea, it is agreed that the collection of the duty above mentioned shall take place by Dutch agents at Antwerp and at Terneuze. In the same manner, vessels arriving from the High Sea in order to proceed to Antwerp by the Western Scheldt, and coming from places suspected in regard to health, shall be at liberty to continue their course without hindrance or delay, accompanied by one health guard, and thus to proceed to the place of their destination. Vessels proceeding from Antwerp to Terneuze, and *vice versâ*, or carrying on in the River itself Coasting Trade or Fishery (in such manner as the exercise of the latter shall be regulated in pursuance of § 6 hereinafter) shall not be subjected to any duty.

§ 4. The branch of the Scheldt called the Eastern Scheldt not being in its present state available for the navigation from the High Sea to Antwerp and Terneuze, and *vice versâ*, but being used for the navigation between Antwerp and the Rhine, this eastern branch shall not be burthened, in any part of its course, with higher duties or tolls than those which are levied, according to the Tariffs of Mayence of the 31st of March, 1831 (**No. 151**) upon the navigation from Gorcum to the High Sea, in proportion to the distances.

§ 5. It is also agreed that the navigation of the intermediate channels between the Scheldt and the Rhine, in order to proceed from Antwerp to the Rhine, and *vice versâ*, shall continue reciprocally free, and that it shall be subject only to moderate tolls, which shall be the same for the commerce of the two countries.

§ 6. Commissioners on both sides shall meet at Antwerp in the space of one month, as well to determine the definitive and permanent amount of these tolls, as to agree upon a general regulation for the execution of the provisions of the present Article, and to include therein a provision for the exercise of the right of Fishing and of trading in fish, throughout the whole

extent of the Scheldt, on a footing of perfect reciprocity and equality in favour of the subjects of the two countries.

§ 7. In the mean time, and until the said regulations shall be prepared, the navigation of the Meuse and of its branches shall remain free to the commerce of the two countries, which shall adopt provisionally, in this respect, the Tariffs of the Convention signed at Mayence on the 31st March, 1831 (**No. 151**), for the Free Navigation of the Rhine, as well as the other provisions of that Convention, so far as they may be applicable to the said River.

§ 8. If natural events or works of art should hereafter render impracticable the lines of navigation mentioned in the present Article, the Government of the Netherlands shall assign to Belgian navigation other lines equally safe, and equally good and commodious, instead of the said lines of navigation become impracticable.

Reciprocal use of Canals.

ART. X. The use of the Canals which traverse both countries shall continue to be free and common to the inhabitants of both. It is understood that they shall enjoy the use of the same reciprocally, and on equal conditions; and that on either side moderate duties only shall be levied upon the navigation of the said Canals.

Commercial communication through Maestricht and Sittardt.

ART. XI. The commercial communications through the town of Maestricht, and through Sittardt, shall remain entirely free, and shall not be impeded under any pretext whatsoever.

Turnpike Tolls on Roads.

The use of the roads which, passing through these towns, lead to the Frontiers of Germany, shall be subject only to the payment of moderate Turnpike Tolls, for the repair of the said roads, so that the transit commerce may not experience any obstacle thereby, and that by means of the Tolls above mentioned, these roads may be kept in good repair, and fit to afford facilities to that commerce.

Construction of New Road or New Canal by Belgium.

ART. XII. In the event of a new Road having been constructed, or a new Canal cut, in Belgium, terminating at the Meuse, opposite the Dutch canton of Sittardt, in that case Belgium shall be

entitled to demand of Holland, who, on the other hand, shall not in such case refuse her consent, that the said Road, or the said Canal, shall be continued, according to the same plan, and entirely at the cost and charge of Belgium, through the canton of Sittardt, to the frontiers of Germany. This Road or Canal, which shall be used only as a commercial communication, shall be constructed, at the option of Holland, either by engineers and workmen whom Belgium shall obtain permission to employ for that purpose in the canton of Sittardt, or by engineers and workmen to be furnished by Holland, and who shall execute the works agreed upon at the expense of Belgium; the whole without any charge whatsoever to Holland, and without prejudice to her exclusive rights of Sovereignty over the Territory which may be traversed by the Road or Canal in question.

The two Parties shall fix, by mutual agreement, the amount and the mode of collection of the Duties and Tolls which should be levied upon the said Road or Canal.

Division of Public Debt.

ART. XIII. § 1. From and after the 1st of January, 1839, Belgium, with reference to the division of the Public Debt of the Kingdom of the Netherlands, shall remain charged with the sum of 5,000,000 of Netherland florins of annual interest, the capital of which shall be transferred from the debit of the Great Book of Amsterdam, or from the debit of the General Treasury of the Kingdom of the Netherlands, to the debit of the Great Book of Belgium.

§ 2. The capitals transferred, and the annuities inscribed upon the debit of the Great Book of Belgium, in consequence of the preceding paragraph, to the amount of the total sum of 5,000,000 Netherland florins of annual interest, shall be considered as forming part of the Belgian National Debt; and Belgium engages not to admit, either at present or in future, any distinction between this portion of her Public Debt arising from her union with Holland, and any other Belgian National Debt already created, or which may be created hereafter.

§ 3. The payment of the above-mentioned sum of 5,000,000 Netherland florins of annual interest, shall take place regularly every 6 months, either at Brussels or at Antwerp, in ready money, without deduction of any kind whatsoever, either at present or in future.

§ 4. In consideration of the creation of the said sum of 5,000,000 florins of annual interest, Belgium shall be released from all obligation towards Holland, on account of the division of the Public Debt of the Kingdom of the Netherlands.

§ 5. Commissioners to be named on both sides shall meet within the space of 15 days in the town of Utrecht, in order to proceed to the transfer of the capitals and annual interest which, upon the division of the Public Debt of the Kingdom of the Netherlands, are to pass to the charge of Belgium, up to the amount of 5,000,000 florins of annual interest.

They shall also proceed to deliver up the Archives, Maps, Plans, and other documents whatsoever which belong to Belgium, or which relate to her administration.

Port of Antwerp to be a Port of Commerce.

ART. XIV. The Port of Antwerp, in conformity with the stipulations of Article XV of the Treaty of Paris, of the 30th of May, 1814 (**No. 1**), shall continue to be solely a Port of Commerce.

Works of Public Utility to belong to Country in which they are situated.

ART. XV. Works of Public or Private utility, such as canals, roads, or others of a similar nature, constructed wholly or in part at the expense of the Kingdom of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the Country in which they are situated.

It is understood that the capitals borrowed for the construction of these works, and specifically charged thereupon, shall be comprised in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

Sequestrations in Belgium to be Removed.

ART. XVI. The Sequestrations which may have been imposed in Belgium, during the troubles, for political causes, on any Property or Hereditary Estates whatsoever, shall be taken off without delay, and the enjoyment of the Property and Estates above mentioned shall be immediately restored to the lawful owners thereof.

Liberty to Inhabitants and Proprietors to Transfer their Residences. Droit d'Aubaine et de Détraction abolished.

ART. XVII. In the two countries of which the separation takes place in consequence of the present Articles, inhabitants and proprietors, if they wish to transfer their residence from one country to the other, shall, during two years, be at liberty to dispose of their property, movable or immovable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or in any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

It is understood that the collection of the *Droit d'Aubaine et de Détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

Character of a Subject with regard to Property.

ART. XVIII. The character of a subject of the two Governments, with regard to Property, shall be acknowledged and maintained.

Right of Persons holding Property in both Countries.

ART. XIX. The stipulations of Articles from XI to XXI, inclusive, of the Treaty concluded between Austria and Russia, on the 3rd of May, 1815 (**No. 12**), which forms an integral part of the General Act of the Congress of Vienna, stipulations relative to Persons who possess Property in both Countries, to the election of residence which they are required to make, to the rights which they shall exercise as subjects of either State, and to the relations of neighbourhood in Properties cut by the Frontiers, shall be applied to such Proprietors, as well as to such Properties, in Holland, in the Grand Duchy of Luxemburg, or in Belgium, as shall be found to come within the cases provided for by the aforesaid stipulations of the Acts of the Congress of Vienna. It is understood that mineral productions are comprised among the productions of the soil mentioned in Article XX of the Treaty of the 3rd of May, 1815 (**No. 12**), above referred to. The *Droits d'Aubaine et de Detraction*, being henceforth abolished, as between Holland, the Grand Duchy of Luxemburg, and Belgium, it is understood that such of the above-mentioned stipulations as may

relate to those duties, shall be considered null and void in the 3 Countries.

Persons not to be molested on account of their Political Conduct.

ART. XX. No person in the territories which change domination shall be molested or disturbed in any manner whatever, on account of any part which he may have taken, directly or indirectly, in Political Events.

Payment of Pensions and Allowances.

ART. XXI. The Pensions and Allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st November, 1830.

It is agreed that the above-mentioned Pensions and Allowances to persons born in the Territories which now constitute Belgium, shall remain at the charge of the Belgian Treasury; and the Pensions and Allowances of persons born in the Territories which now constitute the Kingdom of the Netherlands, shall be at the charge of the Netherland Treasury.

Claims of Belgians on Private Establishments.

ART. XXII. All Claims of Belgian subjects upon any Private Establishments, such as the Widows' Fund, and the fund known under the denomination of the *Fonds des Leges*, and of the chest of civil and military retired allowances, shall be examined by the Mixed Commission mentioned in Article XIII, and shall be determined according to the tenour of the regulations by which these funds or chests are governed.

Restoration of Securities.

The Securities furnished, as well as the payments made, by Belgian accountants, the judicial deposits and consignments, shall equally be restored to the parties entitled thereto, on the presentation of their proofs.

Claims called French Liquidations.

If, under the head of what are called *the French Liquidations*, any Belgian subjects should still be able to bring forward Claims

to be inscribed, such Claims shall also be examined and settled by the said Commission.

Maintenance of Judgments, &c., in Limburg and Luxemburg.

ART. XXIII. All Judgments given in Civil and Commercial matters, all acts of the civil power, and all acts executed before a notary or other public officer under the Belgian administration, in those parts of Limburg and of the Grand Duchy of Luxemburg, of which His Majesty the King of the Netherlands, Grand Duke of Luxemburg, is to be replaced in possession, shall be maintained in full force and validity.

Evacuation of Territories, Towns, Fortresses, &c.

ART. XXIV. Immediately after the exchange of the Ratifications of the Treaty to be concluded between the two Parties,* the necessary orders shall be transmitted to the Commanders of the respective Troops, for the evacuation of the Territories, Towns, Fortresses, and Places which change domination. The Civil Authorities thereof shall also, at the same time, receive the necessary orders for delivering over the said Territories, Towns, Fortresses, and Places, to the Commissioners who shall be appointed by both Parties for this purpose.

This evacuation and delivery shall be effected so as to be completed in the space of 15 days, or sooner if possible.

(L.S.) PALMERSTON. (L.S.) DEDEL.
(L.S.) SENFFT.
(L.S.) H. SEBASTIANI.
(L.S.) BULOW.
(L.S.) POZZO DI BORGO.

[An Arrêté of the Germanic Diet, accepting the incorporation of the Duchy of Limburg with the Territory of the Confederation, was signed on the 5th September, 1839.]

* See next page.

No. 184.—*TREATY of Separation, between Belgium and the Netherlands. Signed at London, 19th April, 1839.**

ART. TABLE.

Preamble. Reference to Treaties of 15th November, 1831, and 19th April, 1839.
1 to 24. The same as those of the Treaty between *Great Britain*, &c., and the *Netherlands*, of 19th April, 1839.
25. Peace and Friendship.
26. Ratifications.

(Translation.†)

Reference to Treaties of 15th November, 1831; and 19th April, 1839.

In the Name of the Most Holy and Indivisible Trinity.

His Majesty the King of the Belgians, and His Majesty the King of the Netherlands, taking into consideration their Treaties concluded with the Courts of France, Great Britain, Prussia, and Russia, namely: by His Majesty the King of the Belgians, on the 15th November, 1831 (**No. 153**), and by His Majesty the King of the Netherlands, Grand Duke of Luxemburg, this day (**No. 183**), their said Majesties have named as their Plenipotentiaries, that is to say:—

His Majesty the King of the Belgians, the Sieur Sylvain Van de Weyer, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the King of the Netherlands, Grand Duke of Luxemburg, the Sieur Salomon Dedel, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:—

ARTS. I to XXIV *were the same as those of the Treaty between Great Britain, &c., and the Netherlands, of 19th April, 1839* (**No. 183**).

Peace and Friendship.

ART. XXV. After the Stipulations of the present Treaty, there

* See also Treaties of 5th November, 1842; 8th August, 1843; 11th May, 1867; and 9th and 11th August, 1871.

† For French version, see "State Papers," vol. xxvii, p. 1320.

shall be Peace and Friendship between His Majesty the King of the Belgians on the one part, and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, on the other part, their heirs and successors, their respective States and Subjects.

Ratifications.

ART. XXVI. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London, at the expiration of 6 weeks, or sooner if possible. This exchange shall take place at the same time as the Ratifications of the Treaty concluded this day between His Majesty the King of the Netherlands and their Majesties the Emperor of Austria, King of Hungary and Bohemia, the King of the French, the Queen of the United Kingdom of Great Britain and Ireland, the King of Prussia, and the Emperor of All the Russias.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto the Seal of their Arms.

Done at London, the 19th April, 1839.

(L.S.) DEDEL.

(L.S.) SYLVAIN VAN DE WEYER.

No. 185.—*TREATY between Great Britain, Austria, France, Prussia, and Russia, on the one part, and Belgium on the other. Signed at London, 19th April, 1839.**

ART. TABLE.

Preamble. Reference to Treaties of 15th November, 1831, and 19th April, 1839.
1. Articles annexed to have the same Force as the Treaty. Guarantee of the 5 Powers.
2. Treaty of 15th November, 1831, not obligatory upon High Contracting Parties.
3. Ratifications.

(Translation as laid before Parliament.†)

Reference to Treaties of 15th November, 1831, and 19th April, 1839.

In the Name of the Most Holy and Indivisible Trinity.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the French, His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, taking into consideration, as well as His Majesty the King of the Belgians, their Treaty concluded at London on the 15th of November, 1831 (**No. 153**), as well as the Treaties signed this day (**Nos. 183, 184**), between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of the French, the King of Prussia, and the Emperor of All the Russias, on the one part, and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, on the other part, and between His Majesty the King of the Belgians and His said Majesty the King of the Netherlands, Grand Duke of Luxemburg, their said Majesties have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Frederick Christian Louis, Count de Senfft-

* See also Treaties of 5th November, 1842; 8th August, 1843; 11th May, 1867; and 9th and 11th August, 1871.

† For French version, see "State Papers," vol. xxvii, p. 1000.

Pilsach, Chamberlain and Privy Councillor of His Imperial and Royal Apostolic Majesty, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, &c.;

His Majesty the King of the French, the Sieur Horace Francis Bastien, Count Sebastiani-Porta, a Lieutenant-General in his Armies, a Member of the Chamber of Deputies in France, his Ambassador Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of Prussia, the Sieur Henry William Baron de Bülow, his Chamberlain, Privy Councillor of Legation, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Charles Andrew, Count Pozzo di Borgo, a General of Infantry in his Armies, his Aide-de-Camp General, Ambassador Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the King of the Belgians, the Sieur Sylvain Van de Weyer, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:

Articles annexed to have same Force as the Treaty. Guarantee of the 5 Powers.

ART. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the French, His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, declare, that the Articles hereunto annexed, and forming the tenor of the Treaty concluded this day between His Majesty the King of the Belgians and His Majesty the King of the Netherlands, Grand Duke of Luxemburg,* are considered as having the same force and validity as if they were textually inserted in the present Act, and that they are thus placed under the Guarantee of their said Majesties.

Treaty of 15th November, 1831, not obligatory upon High Contracting Parties.

ART. II. The Treaty of the 15th of November, 1831 (**No. 153**),

* See page 994.

between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of the French, the King of Prussia, and the Emperor of All the Russias, and His Majesty the King of the Belgians, is declared not to be obligatory upon the High Contracting Parties.

Ratifications.

ART. III. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London at the expiration of 6 weeks, or sooner if possible. This exchange shall take place at the same time as that of the Ratifications of the Treaty between Belgium and Holland.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto the Seal of their Arms.

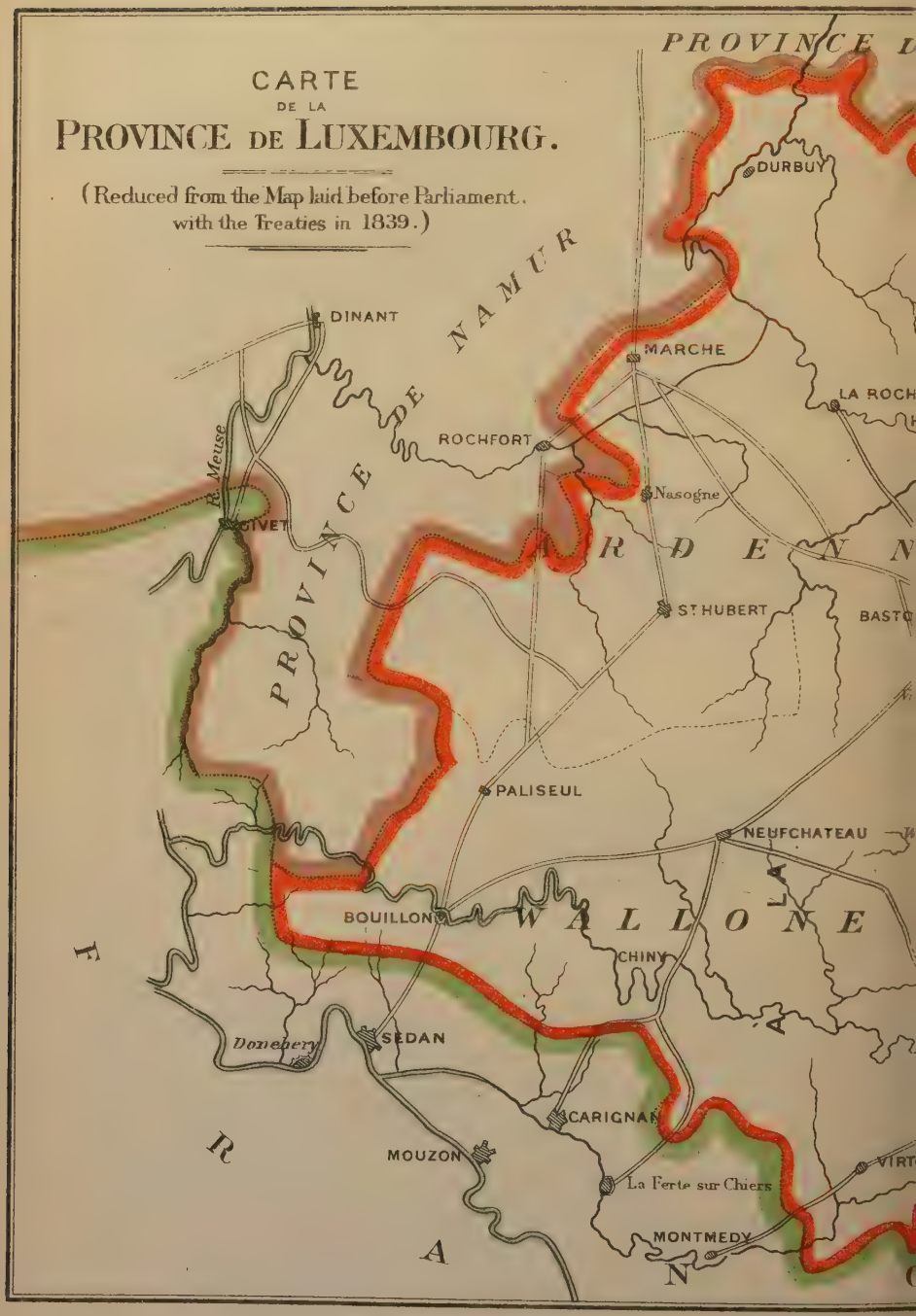
Done at London, the 19th day of April, in the year of Our Lord, 1839.

(L.S.) SYLVAIN VAN DE WEYER.
(L.S.) PALMERSTON.
(L.S.) SENFFT.
(L.S.) H. SEBASTIANI.
(L.S.) BULOW.
(L.S.) POZZO DI BORGO.

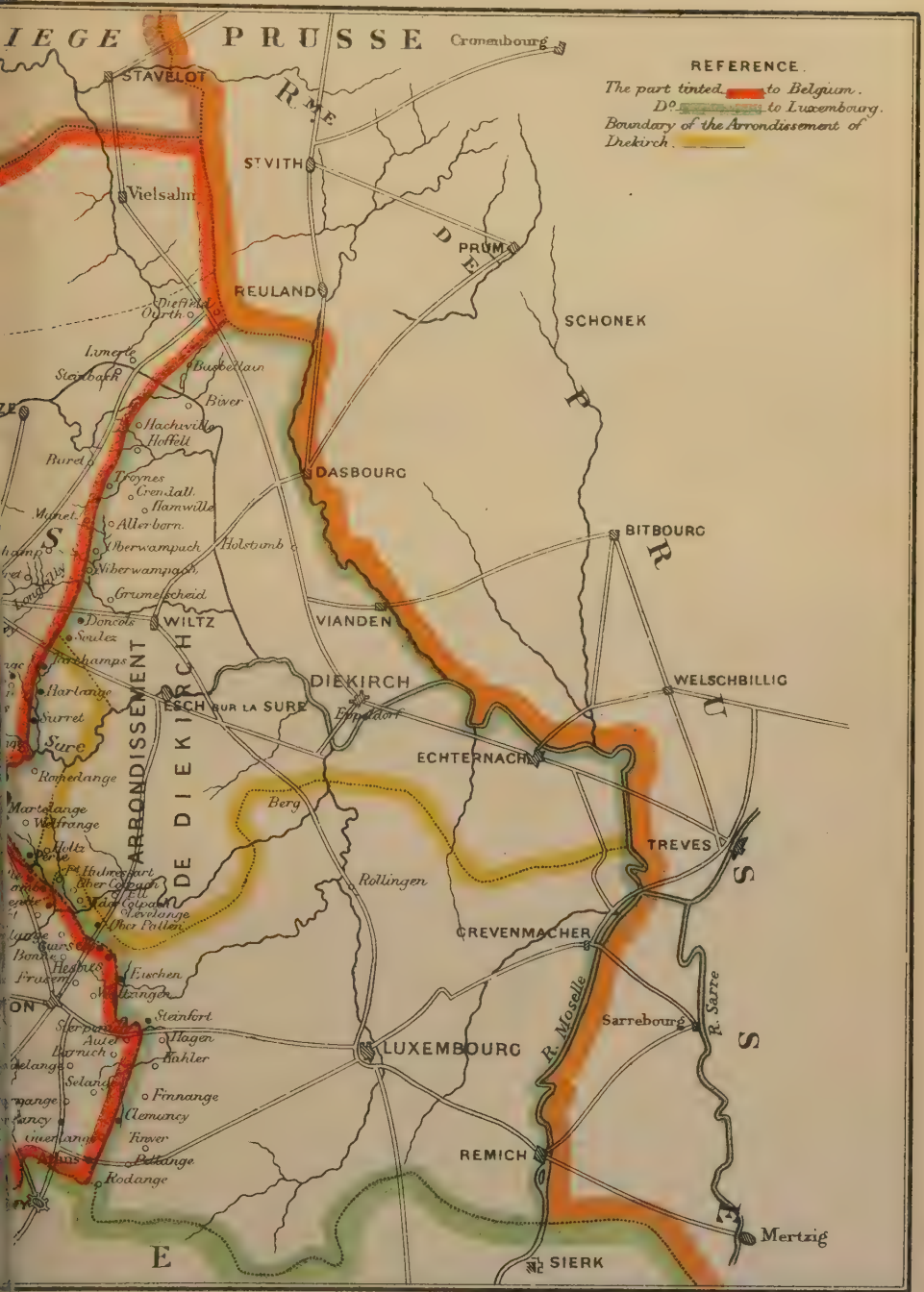
(ANNEX).—*The 24 Articles annexed were Word for Word the same as those Annexed to the Treaty between the 5 Powers and the King of the Netherlands* (**No. 183**).

MAP
OF
LUXEMBOURG
1839.

MAP OF LUXEMBOURG, annexed to the Treati
Signed at



ve to the Separation of Belgium from the Netherlands,
April 19th 1839.



MAP
OF
LUXEMBOURG
1839.

MAP
OF
LIMBOURG
1839.

Map of Limbourg annexed to the Treaties signed at Lon

GUELDRE
GRAVE
Meuse R.
CENNEP
COOCH
Berghen
ARRONDT
HELMOND
Aartsen
STRALEN
VENLO
MEVEL
DE
BLERICK
TEGELEN
BAERLO
Kessel
BESSEL
KAELDEKIRCHEN
WEERD
NEER
Swalmen River
TRUREMONDE
Nederkruchten
WESSEM
STEPHENSWEERD
BAS
ERKELENS
STOCKHEM
Millen
SITTARD
Ramderaedt
FAUQUEMONT
RHIN
AIX LA CHAPELLE
VISÉ
DAELHEM

MAP
OF
LIMBOURG
1839.

No. 186.—*ACT OF ACCESSION on the part of the Germanic Confederation to the Territorial Arrangements concerning the Grand Duchy of Luxemburg, laid down in the Treaty of 19th April, 1839. London, 19th April, 1839.**

(Translation as laid before Parliament.†)

THE Plenipotentiaries of the Courts of Great Britain, Austria, Belgium, France, the Netherlands, Prussia, and Russia, having this day signed the Treaties concluded between the 5 Courts and His Majesty the King of the Netherlands, Grand Duke of Luxemburg (**No. 183**), between their Majesties the King of the Belgians and the King of the Netherlands, Grand Duke of Luxemburg (**No. 184**), and between the 5 Courts and His Majesty the King of the Belgians (**No. 185**), the Plenipotentiaries have deemed it expedient that the Plenipotentiaries of Austria and Prussia, invested with Full Powers from the Diet of the Germanic Confederation, should be invited to accede in the name of the said Confederation, to the arrangements concerning the Grand Duchy of Luxemburg, which are contained in the Treaties above mentioned.

In consequence, the Plenipotentiaries of Austria and Prussia, representing the Diet in virtue of the said Full Powers, declare that the Germanic Confederation formally accedes to the territorial arrangements concerning the Grand Duchy of Luxemburg, which are contained in Articles I, II, III, IV, V, VI, and VII, of the Annex to the Treaties this day concluded between the 5 Courts and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, and between the 5 Courts and His Majesty the King of the Belgians, as well as in the corresponding Articles of the Treaty signed at the same time between His Majesty the King of the Belgians and His Majesty the King of the Netherlands, Grand Duke of Luxemburg. And they take, towards the Courts of Great Britain, Austria, Belgium France, the Netherlands, Prussia, and Russia, in the name of the Germanic Confederation, the engagement that the Confederation will entirely conform to the stipulations contained in the said Articles, which are hereinafter inserted word for word, so far as they concern the Germanic Confederation.

* See also Treaty of 11th May, 1867.

† For French version, see "State Papers," vol. xxvii, p. 1002.

[Grand Duchy of Luxemburg.]

[Here follow the first 7 Articles of the Annex to the two preceding Treaties.]

The Plenipotentiaries of Great Britain, Austria, Belgium, France, the Netherlands, Prussia, and Russia, in virtue of their Full Powers, formally accept, in the name of their respective Courts, the said Accession on the part of the Germanic Confederation.

The present Act of Accession shall be ratified by the Courts of Great Britain, Austria, Belgium, France, the Netherlands. Prussia, and Russia, and also by the Germanic Confederation, by means of a Decree of the Diet,* of which the requisite number of copies shall be prepared. And the respective Acts of Ratification shall be exchanged at London at the expiration of 6 weeks from this date, or sooner if possible, and at the same time as the exchange of the Ratifications of the 3 Treaties above mentioned.

In witness whereof the respective Plenipotentiaries have signed the present Act of Accession, and have affixed thereto the Seal of their Arms.

Done at London, the 19th day of April, in the year of Our Lord, 1839.

(L.S.) PALMERSTON.
(L.S.) SENFFT.
(L.S.) SYLVAIN VAN DE WEYER.
(L.S.) H. SEBASTIANI.
(L.S.) DEDEL.
(L.S.) BULOW.
(L.S.) POZZO DI BORGO.

(L.S.) SENFFT.
(L.S.) BULOW.

* See note, page 993.

No. 187.—*CONVENTION between the King of the Netherlands, Grand Duke of Luxemburg, and the Duke of Nassau. Signed at Wiesbaden, 27th June, 1839.*

ART. TABLE.

Preamble. Reference to Treaty of 19th April, 1839, and to the Family Compact of 1783.
1. Cession by *Nassau* of that part of the *Grand Duchy of Luxemburg* ceded by Article II of the Treaty of 19th April, 1839.
2. Pecuniary Indemnity to be paid to *Nassau*.
3. Indemnity to be paid in 3 Months.
4. Rights of the House of *Nassau* over the Town and Fortress of *Walraw* to remain in force.
5. The *Netherlands* to take care that Federal Obligations imposed on ceded portion of *Luxemburg* are not imposed on the remaining portion.
6. Ratifications.

(Translation.)

Reference to Treaty of 19th April, 1839, and to the Family Pact of 1783.

WHEN, in consequence of the deplorable events of the year 1830, the Cession of part of the Grand Duchy of Luxemburg had become a political necessity for His Majesty the King of the Netherlands, Grand Duke of Luxemburg, and that part having effectually been ceded by His Majesty by Article II. of the Treaty of the 19th April of this year at London (**No. 183**), and His Majesty having requested, in accordance with the Family Pact of 1783, the consent of their Most Serene Agnates to that effect, have appointed as Plenipotentiaries, for the negotiations on the subject, on the part of His Majesty the King of the Netherlands, Grand Duke of Luxemburg,

The Baron Hugo van Zuylen van Nyevelt, Minister of State and Chamberlain of the King, &c.; and on the part of the Most Serene Duke of Nassau, M. Charles Wilderick, Count de Walderdorff, his Minister of State, &c., who, under the reservation of the Ratification of their August Courts, have concluded the following Convention.

ARTS. I. to VI. (See Table.)

Done at Wiesbaden, 27th June, 1839.

(L.S.) H. VAN ZUYLEN VAN NYEVELT.
(L.S.) COMTE VON WALDERDORFF.

No. 188.—*HATTI-SHERIFF by the Sultan of Turkey, relative to the Administration of the Ottoman Empire. Gulhané, 3rd November,* 1839.*

(Translation.†)

All the world knows that in the first days of the Ottoman Monarchy, the glorious precepts of the Koran and the Laws of the Empire were always honoured. The Empire in consequence increased in strength and greatness, and all her Subjects, without exception, had risen in the highest degree to ease and prosperity. In the last 150 years a succession of accidents and divers causes have arisen which have brought about a disregard for the sacred code of Laws, and the Regulations flowing therefrom, and the former strength and prosperity have changed into weakness and poverty: an Empire in fact loses all its stability so soon as it ceases to observe its Laws.

These considerations are ever present to our mind, and, ever since the day of our advent to the Throne, the thought of the public weal, of the improvement of the state of the Provinces, and of relief to the peoples, has not ceased to engage it. If, therefore, the geographical position of the Ottoman Provinces, the fertility of the soil, the aptitude and intelligence of the inhabitants are considered, the conviction will remain that, by striving to find efficacious means, the result, which by the help of God we hope to attain, can be obtained within a few years. Full of confidence, therefore, in the help of the Most High, assisted by the intercession of our Prophet, we deem it right to seek by new institutions to give to the Provinces composing the Ottoman Empire the benefit of a good Administration.

These institutions must be principally carried out under 3 heads, which are:—1. The guarantees insuring to our subjects perfect security for life, honour, and fortune. 2. A regular system of assessing and levying Taxes. 3. An equally regular system for the levy of Troops and the duration of their service.

And, in fact, are not life and honour the most precious gifts in existence? What man, however much his character may be against

* See also Hatt-i-Hamayoun, February, 1856.

† For French version, see "State Papers," vol. xxxi, p. 1239.

violence, can prevent his having recourse to it, and thereby injure the Government and the country, if his life and honour are endangered? If, on the contrary, he enjoys in that respect perfect security, he will not depart from the ways of loyalty, and all his actions will contribute to the good of the Government and of his brothers.

If there is an absence of security on the score of fortune, every one remains insensible to the voice of the Prince and the country; no one interests himself in the progress of public good, absorbed as he is with his own troubles. If, on the contrary, the citizen keeps possession, in all confidence, of all his goods, then, full of ardour in his affairs, which he seeks to enlarge in order to increase his comforts, daily renewing in his heart his love for the Prince and the country, and his devotion to his native land. These feelings create in him the most praiseworthy actions.

As to the regular and fixed assessment of the Taxes, it is very important to settle that matter, for the State which is forced to incur many expenses for the defence of its Territory cannot obtain the money necessary for its Armies and other services except by means of contributions levied on its subjects. Although, thanks be to God, our Empire has for some time past been delivered from the scourge of Monopolies, falsely considered in times of war as a source of revenue, a fatal custom still exists, although it can only have disastrous consequences; it is that of venal concessions, known under the name of "Iltizam." Under that name the civil and financial administration of a locality is delivered over to the passions of a single man, that is to say, sometimes to the iron grasp of the most violent and avaricious passions, for if that Contractor is not a good man, he will only look to his own advantage.

It is therefore necessary that henceforth each member of the Ottoman Society should be taxed for a quota of a fixed Tax, according to his fortune and of his means, and that it should be impossible that anything more could be exacted from him. It is also necessary that special laws should fix and limit the expenses of our Land and Sea Forces.

Although, as we have said, the defence of the country is an important matter, and that it is the duty of all the inhabitants to furnish soldiers for that object, it has become necessary to establish Laws to regulate the contingent to be furnished by each locality, according to the necessity of the time, and to reduce

the term of Military Service to 4 or 5 years. For it is at the same time doing an injustice, and giving a mortal blow to agriculture and to industry to take, without consideration to the respective population of the localities, in the one more, in the other less men than they can furnish, it is also reducing the soldiers to despair, and contributing to the depopulation of the country, by keeping them all their lives in the service.

In short, without the several Laws, the necessity for which has just been described, there can be neither strength, nor riches, nor happiness, nor tranquillity for the Empire; it must, on the contrary, look for them in the existence of these new Laws.

From henceforth, therefore, the cause of every accused person shall be publicly judged in accordance with our Divine Law, after enquiry and examination, and so long as a regular judgment shall not have been pronounced, no one can, secretly or publicly, put another to death by poison or in any other manner.

No one shall be allowed to attack the honour of any other person whatever.

Each one shall possess his Property of every kind, and shall dispose of it in all freedom, without let or hindrance from any person whatever; thus, for example, the innocent Heirs of a Criminal shall not be deprived of their legal rights, and the Property of the Criminal shall not be confiscated.

These Imperial concessions shall extend to all our subjects, of whatever Religion or sect they may be; they shall enjoy them without exception. We therefore grant perfect security to the inhabitants of our Empire, in their lives, their honour, and their fortunes, as they are secured to them by the sacred text of our Law.

As for the other points, as they must be settled with the assistance of enlightened opinions, our Council of Justice (increased by new members, as shall be found necessary), to whom shall be joined, on certain days which we shall determine, our Ministers and the Notabilities of the Empire, shall assemble, in order to frame Laws regulating the Security of Life and Fortune, and the Assessment of the Taxes. Each one in those assemblies shall freely deliver his ideas and give his advice.

The Laws regulating the Military Service shall be discussed by a Military Council, holding its sittings at the Palace of the Seraskier.

As soon as a Law shall be passed, in order to be for ever

valid, it shall be presented to us; we shall give it our approval, which we will write with our Imperial sign manual.

As the object of these Institutions is solely for the purpose of reviving Religion, Government, the Nation, and the Empire, we engage not to do anything which is contrary thereto. In testimony of our promise, we will, after having deposited them in the Hall containing the glorious mantle of the Prophet, in the presence of all the Ulemas, and the Grandees of the Empire make Oath in the name of God, and shall afterwards cause the Oath to be taken by the Ulemas and the Grandees of the Empire.

After that, those from among the Ulemas or the Grandees of the Empire, or any other persons whatsoever, who shall infringe these Institutions, shall undergo, without respect of rank, position, and influence, the punishment corresponding to his crime, after having been well authenticated. A Penal Code shall be compiled to that effect.

As all the Public Servants of the Empire receive a suitable salary, and that the salaries of those whose duties have not, up to the present time, been sufficiently remunerated, are to be fixed, a rigorous Law shall be passed against the traffic of favouritism and of appointments (*richvet*), which the Divine Law reprobates, and which is one of the principal causes of the decay of the Empire.

The above dispositions, being an alteration and a complete renewal of ancient customs, this Imperial Rescript shall be published at Constantinople, and in all places of our Empire, and shall be officially communicated to all the Ambassadors of the friendly Powers resident at Constantinople, that they may be witnesses to the granting of these Institutions, which, should it please God, shall last for ever.

Wherein, may the Most High have us in His holy keeping.

May those who shall pass an Act contrary to the present Regulations be the object of Divine malediction, and deprived for ever of every kind of happiness.

Read at Gulhané, 3rd November, 1839.

No. 189.—*BOUNDARY CONVENTION between Baden and France. Signed at Carlsruhe, 5th April, 1840.*

ART. TABLE.

Preamble. Reference to Treaties of 30th May, 1814; 20th November, 1815; and 30th January, 1827.
1. Double object of Demarcation of Limits: 1st. To separate Rights of Sovereignty to be determined by the *Thalweg* of the *Rhine*. 2. To separate the Rights of Property on the *Islands* and *Alluvial Soil* of the *Rhine*.
2. to 6. } Rights of Sovereignty.
7. to 21. } Rights of Property on *Islands* and *Alluvial Soil* of the *Rhine*.
22. Ratifications.

(Translation.*)

Reference to Treaties of 30th May, 1814, 20th November, 1815, and 30th January, 1827.

His Majesty the King of the French, and His Royal Highness the Grand Duke of Baden, animated by an equal desire to regulate in a definitive manner the execution of Section 5 of Article III of the Treaty of Paris of 30th May, 1814 (**No. 1**), and of Section 2 of Article I of the Treaty of Paris of 20th of November, 1815 (**No. 40**), relative to the Limit of Sovereignty between France and the Grand Duchy of Baden, and for the settlement of the state of Property of the Islands of the Rhine; wishing also to prevent the difficulties to which the continual variations in the bed of the River and of the position of the Thalweg might give rise, in so far as regards the exercise of Rights of Sovereignty and Proprietorship between the Communes of each State; and convinced of the necessity of replacing by a New Convention that which was concluded for the same object, on the 30th January, 1827, have appointed as their Commissioners to that effect, namely:

His Majesty the King of the French, the Sieur Louis Adolphe Aimé Fourier de Bacourt, his Envoy Extraordinary and Minister Plenipotentiary to The United States, in the room of the Sieur

* For French version, see "State Papers," vol. xxix, p. 1092.

Armand Charles, Count Guilleminot, &c., late Commissioner, recently deceased;

And His Royal Highness the Grand Duke of Baden, the Sieur Frederic Charles Landolin, Baron de Blittersdorff, his Minister of State of the Household and of Foreign Affairs, &c.;

Who, after having exchanged their Full Powers found to be in good and due form, have agreed upon the following Articles:

ARTS. I. to XXII. (See Table.)

Done at Carlsruhe, 5th April, 1840.

(L.S.) FREDERIC BARON DE BLITTERSDORFF.
(L.S.) AD. DE BACOURT.

No. 190.—*CONVENTION between Great Britain, Austria, Prussia and Russia, and Turkey, for the Pacification of the Levant. Signed at London, 15th July, 1840.**

ART. TABLE.

Preamble.
1. Arrangement in favour of Mehemet Ali.
2. Measures to be adopted in case of refusal by Mehemet Ali. Naval Assistance to *Turkey* by *Great Britain* and *Austria*.
3. Defence of *Constantinople* by Allied Powers against Mehemet Ali. Allied Forces to withdraw at request of Sultan.
4. Entrance of *Straits of Dardanelles* and *Bosphorus* for Defence of *Constantinople* exceptional. Rule prohibiting Foreign Ships of War to enter *Dardanelles* and *Bosphorus* to be maintained. Ratifications.

(ANNEX.)—*Separate Act.*

Grant of Pashalic of *Egypt* to Mehemet Ali and his Descendants. Administration of *Southern Syria* by Mehemet Ali during his life. Title of Pasha of *Acre*.
Limits of *Southern Syria* to be administered by Mehemet Ali.
Conditions imposed on Mehemet Ali. Withdrawal of Egyptian Troops from *Arabia*, *Candia*, &c.
Time within which Mehemet Ali is to accept Arrangement.
Tribute to be paid to the Sultan.
Mehemet Ali to deliver up Turkish Fleet.
Maintenance of Ottoman Fleet by Mehemet Ali.
Treaties and Laws of *Ottoman Empire* applicable to *Egypt* and *Syria*. Taxes and Imposts to be collected by Pasha of *Egypt*. Civil and Military expenses to be defrayed by the Pasha.
Military and Naval Forces to be maintained for Service of the State.
Offers to be withdrawn if not accepted within 20 Days.
Separate Act to form Part of Convention of 15th July, 1840.

(Translation as laid before Parliament.†)

In the name of the Most Merciful God.

His Highness the Sultan having addressed himself to their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of Prussia, and the Emperor of All the Russias, to ask their support and assistance in the difficulties in which he finds himself placed by reason of the hostile proceedings of Mehemet Ali, Pasha of Egypt,—difficulties which threaten with danger the Integrity of the Ottoman Empire, and the Independence of the

* See also General Treaty of 30th March, 1856.
† For French Version, see "State Papers," vol. xxviii, p. 342.

Sultan's Throne,—their said Majesties, moved by the sincere friendship which subsists between them and the Sultan; animated by the desire of maintaining the Integrity and Independence of the Ottoman Empire as a security for the Peace of Europe; faithful to the engagement which they contracted by the Collective Note presented to the Porte by their Representatives at Constantinople, on the 27th of July, 1839;* and desirous, moreover, to prevent the effusion of blood which would be occasioned by a continuance of the hostilities which have recently broken out in Syria between the authorities of the Pasha of Egypt and the subjects of the Sultan; their said Majesties and His Highness the Sultan have resolved, for the aforesaid purposes, to conclude together a Convention, and they have therefore named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Parliament, and her Principal Secretary of State for Foreign Affairs;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Philip, Baron de Neumann, his Aulick Councillor, and his Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of Prussia, the Sieur Henry William, Baron de Bülow, his Chamberlain, Actual Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip, Baron de Brunnow, his Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the Most Noble, Most Powerful, and Most Magnificent Sultan Abdul-Medjid, Emperor of the Ottomans,

* (Translation). The Undersigned have this morning received instructions from their respective Governments, in virtue of which they have the honour to inform the Sublime Porte that the 5 Great Powers have come to an understanding on the Eastern Question, and to prevail upon her to suspend all definitive determination without their co-operation.

Constantinople, 27th July, 1839.

BARON DE STURMER. BARON ROUSSIN.
PONSONBY. COMTE DE KŒNIGSMARCK.
A. BOUTENEFF.

Chekib Effendi, decorated with the Nichan Iftihar of the first class, Beylikdgi of the Imperial Divan, Honorary Councillor of the Department for Foreign Affairs, his Ambassador Extraordinary to Her Britannic Majesty;

Who, having reciprocally communicated to each other their Full Powers, found to be in good and due form, have agreed upon and signed the following Articles:

Arrangement in favour of Mehemet Ali.

ART. I. His Highness the Sultan having come to an agreement with their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of Prussia, and the Emperor of All the Russias, as to the conditions of the arrangement which it is the intention of His Highness to grant to Mehemet Ali, conditions which are specified in the Separate Act hereunto annexed;* their Majesties engage to act in perfect accord, and to unite their efforts in order to determine Mehemet Ali to conform to that arrangement; each of the High Contracting Parties reserving to itself to co-operate for that purpose, according to the means of action which each may have at his disposal.

Measures to be adopted in case of refusal by Mehemet Ali. Naval Assistance to Turkey by Great Britain and Austria.

ART. II. If the Pasha of Egypt should refuse to accept the above-mentioned arrangement, which will be communicated to him by the Sultan, with the concurrence of their aforesaid Majesties; their Majesties engage to take, at the request of the Sultan, measures concerted and settled between them, in order to carry that arrangement into effect. In the meanwhile, the Sultan having requested his said Allies to unite with him in order to assist him to cut off the communication by sea between Egypt and Syria, and to prevent the transport of troops, horses, arms, and warlike stores of all kinds, from the one province to the other; their Majesties the Queen of the United Kingdom of Great Britain and Ireland, and the Emperor of Austria, King of Hungary and Bohemia, engage to give immediately, to that effect, the necessary orders to their naval Commanders in the Mediterranean. Their said Majesties further engage that the naval Commanders of their squadrons shall, according to the means at their command, afford, in the name of the Alliance, all the support and assistance in their

* See page 1012.

power to those subjects of the Sultan who may manifest their fidelity and allegiance to their Sovereign.

Defence of Constantinople by Allied Powers against Mehemet Ali.

ART. III. If Mehemet Ali, after having refused to submit to the conditions of the arrangements above mentioned, should direct his land or sea forces against Constantinople, the High Contracting Parties, upon the express demand of the Sultan, addressed to their Representatives at Constantinople, agree, in such case, to comply with the request of that Sovereign, and to provide for the defence of his Throne by means of a co-operation agreed upon by mutual consent, for the purpose of placing the two Straits of the Bosphorus and Dardanelles, as well as the capital of the Ottoman Empire, in security against all aggression.

Allied Forces to withdraw at request of Sultan.

It is further agreed that the forces which, in virtue of such concert may be sent as aforesaid, shall there remain so employed as long as their presence shall be required by the Sultan; and when His Highness shall deem their presence no longer necessary, the said forces shall simultaneously withdraw, and shall return to the Black Sea and to the Mediterranean respectively.

*Entrance of Straits of Dardanelles and Bosphorus for Defence of Constantinople exceptional. Rule prohibiting Foreign Ships of War to enter Dardanelles and Bosphorus to be maintained.**

ART. IV. It is, however, expressly understood that the co-operation mentioned in the preceding Article, and destined to place the Straits of the Dardanelles and of the Bosphorus, and the Ottoman capital, under the temporary safeguard of the High Contracting Parties against all aggression of Mehemet Ali, shall be considered only as a measure of exception adopted at the express demand of the Sultan, and solely for his defence in the single case above mentioned; but it is agreed, that such measure shall not derogate in any degree from the ancient rule of the Ottoman Empire, in virtue of which it has in all times been prohibited for Ships of War of Foreign Powers to enter the Straits of the Dardanelles and of the Bosphorus. And the Sultan, on the one hand, hereby declares that excepting the contingency above mentioned, it is his firm resolution to maintain in future this principle inva-

* See General Treaties of 30th March, 1856; and 13th March, 1871.

riably established as the ancient rule of his Empire, and as long as the Porte is at Peace, to admit no Foreign Ship of War into the Straits of the Bosphorus and of the Dardanelles; on the other hand, their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of Prussia, and the Emperor of All the Russias, engage to respect this determination of the Sultan, and to conform to the above-mentioned principle.

Ratifications.

The present Convention shall be ratified, and the Ratifications thereof shall be exchanged at London at the expiration of two months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 15th day of July, in the year of Our Lord, 1840.

(L.S.) PALMERSTON. (L.S.) CHEKIB.
(L.S.) NEUMANN.
(L.S.) BULOW.
(L.S.) BRUNNOW.

(ANNEX.)—*Separate Act to the Convention of 15th July, 1840.*

His Highness the Sultan intends to grant, and to cause to be notified to Mehemet Ali, the conditions of the Arrangement hereinafter detailed:*

Grant of Pashalic of Egypt to Mehemet Ali and his descendants. Administration of Southern Syria by Mehemet Ali during his life. Title of Pasha of Acre.

§ 1. His Highness promises to grant to Mehemet Ali, for himself and for his descendants in the direct line, the administration of the Pashalic of Egypt; and His Highness promises, moreover, to grant to Mehemet Ali, for his life, with the title of Pasha of Acre, and with the command of the Fortress of St. John of Acre, the administration of the southern part of Syria, the limits of which shall be determined by the following line of demarcation:

* See Reserved Protocol, p. 1018.

Limits of Southern Syria to be administered by Mehemet Ali.

This line, beginning at Cape Ras-el-Nakhora, on the coast of the Mediterranean, shall extend direct from thence as far as the mouth of the River Seizaban, at the northern extremity of the Lake of Tiberias; it shall pass along the western shore of that Lake; it shall follow the right bank of the River Jordan, and the western shore of the Dead Sea; from thence it shall extend straight to the Red Sea, which it shall strike at the northern point of the Gulf of Akaba; and from thence it shall follow the western shore of the Gulf of Akaba, and the eastern shore of the Gulf of Suez, as far as Suez.

Conditions imposed on Mehemet Ali. Withdrawal of Egyptian Troops from Arabia, Candia, &c.

The Sultan, however, in making these offers, attaches thereto the condition, that Mehemet Ali shall accept them within the space of 10 days after communication thereof shall have been made to him at Alexandria, by an agent of His Highness; and that Mehemet Ali shall, at the same time, place in the hands of that agent the necessary instructions to the Commanders of his sea and land forces, to withdraw immediately from Arabia, and from all the Holy Cities which are therein situated; from the Island of Candia; from the district of Adana; and from all other parts of the Ottoman Empire which are not comprised within the limits of Egypt, and within those of the Pashalic of Acre, as above defined.

Time within which Mehemet Ali is to accept Arrangement.

§ 2. If within the space of 10 days, fixed as above, Mehemet Ali should not accept the above-mentioned arrangement, the Sultan will then withdraw the offer of the life administration of the Pashalic of Acre; but His Highness will still consent to grant to Mehemet Ali, for himself and for his descendants in the direct line, the administration of the Pashalic of Egypt, provided such offer be accepted within the space of the 10 days next following, that is to say, within a period of 20 days, to be reckoned from the day on which the communication shall have been made to him; and provided that in this case also, he places in the hands of the agent of the Sultan, the necessary instructions to his military and naval commanders to withdraw immediately within the limits, and into the ports of the Pashalic of Egypt.

Tribute to be paid to the Sultan.

§ 3. The annual Tribute to be paid to the Sultan by Mehemet Ali, shall be proportioned to the greater or less amount of territory of which the latter may obtain the administration, according as he accepts the first or the second alternative.

Mehemet Ali to deliver up Turkish Fleet.

§ 4. It is, moreover, expressly understood that, in the first as in the second alternative, Mehemet Ali (before the expiration of the specified period of 10 or of 20 days), shall be bound to deliver up the Turkish fleet, with the whole of its crews and equipments, into the hands of the Turkish agent who shall be charged to receive the same. The Commanders of the allied squadrons shall be present at such delivery.

Maintenance of Ottoman Fleet by Mehemet Ali.

It is understood, that in no case can Mehemet Ali carry to account, or deduct from the Tribute to be paid to the Sultan, the expenses which he has incurred in the maintenance of the Ottoman fleet, during any part of the time it shall have remained in the ports of Egypt.

Treaties and Laws of Ottoman Empire applicable to Egypt and Syria. Taxes and Imposts to be collected by Pasha of Egypt. Civil and Military Expenses to be defrayed by the Pasha.

§ 5. All the Treaties, and all the Laws of the Ottoman Empire, shall be applicable to Egypt, and to the Pashalic of Acre, such as it has been above defined, in the same manner as to every other part of the Ottoman Empire. But the Sultan consents, that on condition of the regular payment of the Tribute above mentioned, Mehemet Ali and his descendants shall collect, in the name of the Sultan, and as the delegate of His Highness, within the provinces the administration of which shall be confided to them, the taxes and imposts legally established. It is moreover understood that, in consideration of the receipt of the aforesaid taxes and imposts, Mehemet Ali and his descendants shall defray all the expenses of the civil and military administration of the said provinces.

Military and Naval Forces to be maintained for Service of the State.

§ 6. The Military and Naval Forces which may be maintained

by the Pasha of Egypt and Acre, forming part of the forces of the Ottoman Empire, shall always be considered as maintained for the service of the State.

Offers to be withdrawn if not accepted within 20 *Days.*

§ 7. If, at the expiration of the period of 20 days after the communication shall have been made to him (according to the stipulation of § 2), Mehemet Ali shall not accede to the proposed arrangement, and shall not accept the hereditary Pashalic of Egypt, the Sultan will consider himself at liberty to withdraw that offer, and to follow, in consequence, such ulterior course as his own interests and the counsels of his Allies may suggest to him.

Separate Act to form part of Convention of 15*th July*, 1840.

§ 8. The present Separate Act shall have the same force and validity as if it were inserted, word for word, in the Convention of this date. It shall be ratified, and the Ratifications thereof shall be exchanged at London at the same time as those of the said Convention.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 15th day of July, in the year of Our Lord, 1840.

(L.S.) PALMERSTON. (L.S.) CHEKIB.
(L.S.) NEUMANN.
(L.S.) BULOW.
(L.S.) BRUNNOW.

No. 191.—*CONVENTION between Austria and Russia, relative to the Navigation of the Danube. Signed at St. Petersburgh, $\frac{13}{25}$th July*, 1840.*

ART. TABLE.

Preamble. Reference to *Vienna* Congress Treaty of 9th June, 1815.
1. Free Navigation of the *Danube.*
2. Freedom of Navigation to Vessels of all Nations having the right to Navigate the *Black Sea.* Freedom to Russian Ships to Navigate the *Danube* through the *Austrian* States.
3. Right of Towage along the Bank. Towage along the Quay of *Réni.*
4. Austrian Vessels not to be subject to Visit on their Entrance or Departure from the Mouths of the *Danube.* Similar Privileges to Russian Vessels in *Austrian* Waters of the *Danube.*
5. Russian Government to stop Sand Banks at Mouths of the *Danube.* The Works to be renewed whenever necessary.
6. Erection of a Lighthouse at the Mouth of the *Sulina.*
7. Cleansing and Lighthouse Duties to be paid by *Austrian* Vessels.
8. Treatment of *Austrian* Vessels along the *Danube,* and in Ports of the *Black Sea* with reference to Sanitary Precautions.
9. Duration of Convention.
10. Ratifications.

(Translation.†)

Reference to Vienna Congress Treaty of 9th June, 1815.

His Majesty the Emperor of Austria, King of Hungary and of Bohemia, &c., and His Majesty the Emperor of All the Russias, King of Poland, &c., animated by a desire to facilitate, to extend, and to increase more and more the commercial relations between their respective States, by giving a more extended development to the navigation of the Danube, and convinced that they could not better attain that end than by applying to that River the same principles which the Congress of Vienna (**No. 27**) has established for the Free Navigation of the Rivers which separate or flow through different countries, have resolved by common consent to regulate by a special Convention everything of reciprocal interest relating to that object.

For that purpose their said Majesties have appointed Plenipotentiaries, namely:

His Majesty the Emperor of Austria, Count Charles Louis de Ficquelmont, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of All the Russias, &c.;

* See also General Treaty of 30th March, 1856, Art. XV.

† For French version, see "State Papers," vol. xxviii, p. 1060.

His Majesty the Emperor of All the Russias, Count Charles Robert de Nesselrode, his actual Private Councillor and Vice Chancellor, &c., and Count Michael Woronzow, his General of Infantry and General Aide-de-Camp, Governor-General of New Russia and Bessarabia, &c.;

Who, after having reciprocally communicated their Full Powers, found to be in good and due form, have concluded and signed the following Articles:

Free Navigation of the Danube.

ART. I. The Navigation throughout the whole course of the Danube, as well from the point where it touches the Russian Territory to its mouth in the Black Sea, as through the whole extent where it bathes the States of His Imperial and Royal Apostolic Majesty, shall be entirely free, as well in descending as in ascending; it cannot, in matters of Commerce, be interdicted to any one, be subject to any hindrance, nor to any toll whatever; and there shall not be paid for such navigation any other Dues than those which shall be hereafter fixed upon.

Freedom of Navigation to Vessels of all Nations having the right to Navigate the Black Sea.

ART. II. Austrian merchant ships, as well as those of every other Nation, having the right to navigate in the Black Sea, and is at peace with Russia, shall enter freely into the navigable mouths of the Danube, ascend, descend, and leave it, without being subject to any Customs or Passage Duties, save the Dues mentioned hereafter.

Freedom to Russian Ships to Navigate the Danube through the Austrian States.

In the same manner Russian merchant ships shall freely ascend and descend the Danube throughout the whole extent where it bathes the States of His Imperial and Royal Apostolic Majesty, without being subject to any Duty whatever.

Right of Towage along the Bank.

ART. III. Austrian ships and vessels navigating the Danube shall have the right to be towed along the River, and on the whole extent of the Islands of St. George, Lété, and Tchatal, by following the towing paths established by the Imperial Govern-

ment of Russia on either bank, in accordance with the sanitary precautions adopted in conformity with the Quarantine Regulations, no impediments to the navigation being in any way caused by the superintendence imposed thereby.

Towage along the Quai of Réni.

As far as it more particularly concerns the Towage along the Quay of the town of Réni, the two High Contracting Parties will inquire into the best means to be adopted to make that towage practicable without compromising the maintenance of sanitary regulations, and the state of free pratique of the town of Réni.

Austrian Vessels not to be subject to Visit on their Entrance or Departure from the Mouths of the Danube.

ART. IV. Austrian vessels shall not be subject to any visit either on their entrance into the mouths of the Danube, or on their departure. They shall, only on their entrance into the mouths of the Sulina, be stopped for such time as is necessary for the officer of the Guard Ship to inspect the ship's papers. As soon as they shall have fulfilled that formality, and satisfied the Quarantine Regulations, they shall be allowed to continue on their way, without being further retained in that place.

Similar Privileges to Russian Vessels in Austrian Waters of the Danube.

The same facilities shall be granted to Russian ships or vessels navigating in the part of the Danube which flows through or bathes the States of His Imperial and Royal Apostolic Majesty.

Russian Government to Stop Sand Banks at Mouths of the Danube.

ART. V. The Imperial Government of Russia engages to commence as soon as possible the works necessary to stop the progress of the Sand Banks at the mouths of the Sulina, and to make that passage so far practicable as to prevent it being an obstacle to navigation.

The Works to be renewed whenever necessary.

These works shall be renewed and continued whenever it shall be considered necessary, and that the season and the time

permits it, in order to prevent a new accumulation of sand in the said mouths of the Sulina.

Erection of a Lighthouse at the Mouth of the Sulina.

ART. VI. The Imperial Government of Russia further engages to have a Lighthouse erected in the shortest possible delay upon the most convenient spot at the mouth of the Sulina, and to have a Beacon established upon the most approved principles of the day, with strong reflectors. This Beacon shall be regularly lighted on the 1st of March, new style, every year, and shall be in operation up to the month of December.

Cleansing and Lighthouse Duties to be paid by Austrian Vessels.

ART. VII. To contribute towards the cleansing and maintenance of the works stipulated in Article V, as well as those which are caused by the construction and maintenance of the Beacon, established equally in the common interest of the two Empires, Austrian vessels passing the mouths of the Danube, either laden or in ballast, shall pay once for all on entering and leaving, the Duties hereafter stipulated, on a fixed and invariable scale, that is to say, for expense of cleansing:

2-masted vessels, 2 piastres of Spain or talaris;

3-masted vessels, 3 piastres of Spain or talaris;

Steam vessels without distinction, 3 piastres of Spain or talaris.

As Lighthouse Duty, all Austrian vessels, without distinction of size or tonnage, 1 talaris or piastre of Spain.

These duties shall only be paid on the vessels leaving the mouth of the Danube, and not on their entrance, in order that the vessels may not be stopped, and that they may take advantage of a favourable wind to ascend the River without loss of time.

The levy of duties for cleansing shall date from the time at which the works shall begin. Nevertheless, all Austrian vessels which, dating from the year 1842, shall be under the necessity of employing lighters either in entering or leaving the Danube, shall be freed from paying the cleansing duty.

The Lighthouse Duty shall be paid from the moment it shall be lighted.

Treatment of Austrian Vessels along the Danube and in Ports of the Black Sea with reference to Sanitary Precautions.

ART. VIII. In order still further to facilitate the commercial relations between the countries situated along the Danube and Russian Ports of the Black Sea, the Imperial Government of Russia agrees to assimilate the Austrian Steam Navigation on the Danube, with reference to Sanitary precautions, to those of the Black Sea through the Dardanelles, admitting that the merchandise forwarded from Vienna or Hungary, on board Austrian steamers, shall be treated at Odessa or in the other Russian Ports in the same manner as those arriving from Trieste, Leghorn, or other Mediterranean Ports, whenever such merchandise and the packages or bales which they contain shall be sealed with the seal of the Russian Embassy at Vienna, or that of the Russian Consulate at Orsova.

Duration of Convention.

ART. IX. The two High Contracting Parties, whilst thus recognising the permanent maintenance of the principle of the Free Navigation of the Danube, have agreed that the stipulations of the present Convention shall remain in force and have their full and entire effect for the space of 10 years, dating from the day of the exchange of the Ratifications.

Ratifications.

ART. X. The present Convention shall be ratified and the Ratifications thereof shall be exchanged at St. Petersburgh in two months, or sooner if possible.

In faith whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.

Done at St. Petersburgh, the $\frac{13th}{25th}$ July, of the year of Our Lord, 1840.

(L.S.) LE COMTE DE FICQUELMONT.
(L.S.) CHARLES COMTE DE NESSELRODE.
(L.S.) C. M. WORONZOW.

No. 192.—*PROTOCOLS of Conferences between Great Britain, Austria, Prussia, Russia, and Turkey, respecting Pacification of the Levant. London, July, September*, 1840.

TABLE.

Preamble.
Declaration of Ottoman Porte, relative to Passes to light Vessels of War, in *Straits of Dardanelles* and *Bosphorus*.
Article II of Convention to be carried into execution before Exchange of Ratifications.
Offers to be addressed immediately to Mehemet Ali.
Consular Agents of Four Powers to use their Influence with Mehemet Ali.
Declaration of Allied Courts not to seek increase of Territory, &c.

PROTOCOL (1). *London*, 15*th July*, 1840.

Declaration of the Ottoman Porte, relative to Passes to light Vessels of War, in Straits of Dardanelles and Bosphorus.

IN affixing his signature to the Convention of this date, the Plenipotentiary of the Sublime Ottoman Porte declared:

That in recording by Article IV of the said Convention the ancient rule of the Ottoman Empire, by virtue of which it has been at all times forbidden to Foreign Vessels of War to enter within the Straits of the Dardanelles and of the Bosphorus, the Sublime Porte reserves to itself, as heretofore, to deliver Passes to light Vessels under Flag of War, which may be employed according to custom for the service of the correspondence of the Legations of Friendly Powers.

The Plenipotentiaries of the Courts of Great Britain, Austria, Prussia, and Russia, took note of the above Declaration, for the purpose of communicating it to their respective Courts.

PALMERSTON. CHEKIB.
NEUMANN.
BULOW.
BRUNNOW.

RESERVED PROTOCOL (2). *London*, 15*th July*, 1840.

THE Plenipotentiaries of the Courts of Great Britain, Austria, Prussia, Russia, and Turkey, having, in virtue of their Full Powers, concluded and signed this day a Convention (**No. 190**)

between their respective Sovereigns, for the Pacification of the Levant;

Considering that, in consequence of the distances which separate the capitals of their respective Courts, a certain space of time must necessarily elapse before the Ratifications of the said Convention can be exchanged, and before orders founded thereupon can be carried into execution;

And the said Plenipotentiaries being deeply impressed with the conviction, that by reason of the present state of things in Syria, the interests of humanity, as well as the grave considerations of European policy which constitute the object of the common solicitude of the Contracting Parties to the Convention of this day, imperiously require that, as far as possible, all delay should be avoided in the accomplishment of the Pacification which the said Convention is intended to effect.

Article II of Convention to be carried into execution before Exchange of Ratifications.

The said Plenipotentiaries, in virtue of their Full Powers, have agreed that the preliminary measures mentioned in Article II of the said Convention, shall be carried into execution at once, without waiting for the exchange of the Ratifications; the respective Plenipotentiaries recording formally, by the present instrument, the consent of their Courts to the immediate execution of these measures.

Offers to be addressed immediately to Mehemet Ali.

It is moreover agreed between the said Plenipotentiaries, that His Highness the Sultan will proceed immediately to address to Mehemet Ali the communication and offers specified in the Separate Act annexed to the Convention of this day.*

Consular Agents of Four Powers to use their Influence with Mehemet Ali.

It is further agreed that the Consular Agents of Great Britain, Austria, Prussia, and Russia, at Alexandria, shall place themselves in communication with the Agent whom His Highness may send thither to communicate to Mehemet Ali the above-mentioned offers; that the said Consuls shall afford to that Agent all the assistance and support in their power; and shall use all

* Page 1012.

their means of influence with Mehemet Ali, in order to persuade him to accept the Arrangement which will be proposed to him by order of His Highness the Sultan.

The Admirals of the respective squadrons in the Mediterranean shall be instructed to place themselves in communication with the said Consuls on this subject.

PALMERSTON. CHEKIB.
NEUMANN.
BULOW.
BRUNNOW.

PROTOCOL (3). *London*, 17*th September*, 1840.

THE Plenipotentiaries of the Courts of Great Britain, Austria, Prussia, and Russia, after having exchanged the Ratifications of the Convention concluded on the 15th of July last (**No. 190**), have resolved, in order to place in its true light the disinterestedness which has guided their Courts in the conclusion of that Act, to declare formally:

Declaration of Allied Courts not to seek increase of Territory, &c.

That in the execution of the engagements resulting to the Contracting Powers from the above-mentioned Convention, those Powers will seek no augmentation of Territory, no exclusive Influence, no Commercial advantage for their subjects, which those of every other nation may not equally obtain.

The Plenipotentiaries of the Courts above mentioned have resolved to record this Declaration in the present Protocol.

The Plenipotentiary of the Ottoman Porte, in paying a just tribute to the good faith and disinterested policy of the Allied Courts, has taken cognizance of the Declaration contained in the present Protocol, and has undertaken to transmit it to his Court.

PALMERSTON. CHEKIB.
NEUMANN.
SCHLEINITZ.
BRUNNOW.

No. 193.—*CONVENTION between Great Britain, Austria, France, Prussia, Russia, and Turkey, respecting the Straits of the Dardanelles and of the Bosphorus. Signed at London, 13th July,* 1841.*

ART. TABLE.

Preamble.
1. Closing of Straits of *Dardanelles* and *Bosphorus* to Foreign Ships of War in Time of Peace.
2. Firmans to be issued for Vessels under Flag of War used by Foreign Missions.
3. Invitation to Foreign Powers to accede to Convention.
4. Ratifications.

(Translation as laid before Parliament.†)

In the Name of the Most Merciful God.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of the French, the King of Prussia, and the Emperor of All the Russias, being persuaded that their union and their agreement offer to Europe the most certain pledge for the preservation of the general Peace, the constant object of their solicitude; and their said Majesties being desirous of testifying this agreement, by giving to the Sultan a manifest proof of the respect which they entertain for the inviolability of his sovereign rights, as well as of their sincere desire to see consolidated the repose of his Empire; their said Majesties have resolved to comply with the invitation of His Highness the Sultan, in order to record in common, by a formal Act, their unanimous determination to conform to the ancient rule of the Ottoman Empire, according to which the passage of the Straits of the Dardanelles and of the Bosphorus is always to be closed to Foreign Ships of War, so long as the Porte is at peace.

Their said Majesties, on the one part, and His Highness the Sultan, on the other part, having resolved to conclude between them a Convention on this subject, have named for that purpose as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great and Ireland, the Right Honourable Henry John, Viscount Pal-

* See also General Treaty of 30th March, 1856, Art. X, and Separate Treaty of the same date.

† For French version, see "State Papers," vol. xxix, p. 703.

merston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of the Parliament of the United Kingdom, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Paul, Prince Esterhazy of Galantha, Count of Edelstett, Chamberlain, Actual Privy Councillor of His Majesty the Emperor of Austria, and his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.; and the Sieur Philip, Baron de Neumann, Aulick Councillor, and his Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of the French, the Sieur Francis Adolphus, Baron de Bourqueney, Master of Requests in his Council of State, his Chargé d'Affaires and Plenipotentiary at London, &c.;

His Majesty the King of Prussia, the Sieur Henry William, Baron de Bülow, his Chamberlain, Actual Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip, Baron de Brunnow, his Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the Most Majestic, Most Powerful, and Most Magnificent Sultan Abdul Medjid, Emperor of the Ottomans, Chekib Effendi, Beylikdgi of the Imperial Divan, Honorary Councillor of the Department for Foreign Affairs, his Ambassador Extraordinary to Her Britannic Majesty, &c.;

Who, having reciprocally communicated to each other their Full Powers, found to be in good and due form, have agreed upon and signed the following Articles:

Closing of Straits of Dardanelles and Bosphorus to Foreign Ships of War in time of Peace.

ART. I. His Highness the Sultan, on the one part, declares that he is firmly resolved to maintain for the future the principle invariably established as the ancient rule of his Empire, and in virtue of which it has at all times been prohibited for the Ships of War of Foreign Powers to enter the Straits of the Dardanelles and of the Bosphorus; and that, so long as the Porte is at Peace, His Highness will admit no Foreign Ship of War into the said Straits.

And their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the King of the French, the King of Prussia, and the Emperor of All the Russias, on the other part, engage to respect this determination of the Sultan, and to conform themselves to the principle above declared.

Firmans to be issued for Vessels under Flag of War used by Foreign Missions.

ART. II. It is understood that in recording the inviolability of the ancient rule of the Ottoman Empire mentioned in the preceding Article, the Sultan reserves to himself, as in past times, to deliver Firmans of passage for light Vessels under Flag of War, which shall be employed as is usual in the service of the Missions of Foreign Powers.

Invitation to Foreign Powers to accede to Convention.

ART. III. His Highness the Sultan reserves to himself to communicate the present Convention to all the Powers with whom the Sublime Porte is in relations of friendship, inviting them to accede thereto.

Ratifications.

ART. IV. The present Convention shall be ratified, and the Ratifications thereof shall be exchanged at London at the expiration of two months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 13th day of July, in the year of Our Lord, 1841.

(L.S.) PALMERSTON.
(L.S.) ESTERHAZY.
(L.S.) NEUMANN.
(L.S.) BOURQUENEY.
(L.S.) BULOW.
(L.S.) BRUNNOW.

(L.S.) CHEKIB.

No. 194.—*CONVENTION between Baden, Hesse-Darmstadt, and Wurtemberg, for the regulation of the Navigation on the Neckar. Signed at Carlsruhe, 1st July,* 1842.

ARTS. TABLE.

Preamble. Reference to Vienna Congress Treaty of 9th June, 1815.

FIRST TITLE.

Navigation on the *Neckar* in general, and concessions for it agreed to amongst the *Neckar* bank States.

1 to 7. Navigation on the *Neckar* to and from the *Rhine* to be quite free to all; towing-path to be kept in good order; the River to be kept free from obstructions; *Wurtemberg* constitutes *Heilbron* and *Canstatt*, *Baden*, *Mannheim*, and *Heidelberg* as free ports, *Hesse* reserves its appointment of free ports; dues to be levied; freedom to be extended to water ways in connection with the *Neckar*.

SECOND TITLE.

8 to 35. Navigation Dues, and the means of ascertaining their proper payment.

THIRD TITLE.

36 to 41. Application of the Fiscal Laws in force in the respective *Neckar* bank States, to the *Neckar* Navigation.

FOURTH TITLE.

42 to 45. Right to practice the Navigation.

FIFTH TITLE.

46 to 50. Freights and periodical Voyages.

SIXTH TITLE.

51 to 61. Police Regulations for the security of the Navigation and Commerce.

SEVENTH TITLE.

62 to 68. Settlement of Criminal Cases and Disputes respecting *Neckar* Navigation affairs, and Supervision of the *Neckar* Navigation in general.

EIGHTH TITLE.

69. Execution of the Navigation Ordinance.

(Translation.)

Reference to Vienna Congress Treaty of 9th June, 1815.

WITH reference to the provisions of the Vienna Congress Act (**No. 27**), respecting River Navigation and for the complete appli-

cation of those provisions to the Neckar, the Neckar Bank States have resolved to agree upon a Neckar Navigation Ordinance on the basis of the Convention existing between them of 30th July, 5th and 15th August, 1835, respecting the Neckar Navigation and the Neckar Toll, according to Article I of which, the provisions of the Rhine Navigation Ordinance of 31st March, 1831 (**No. 151**), are also to be applied in general to the Neckar, so far as it is navigable.

For this purpose,

His Royal Highness the Grand Duke of Baden has appointed his Ministerial Director Francis Anthony Regenauer, and his Chamberlain, also Plenipotentiary at the Central Commission for the Rhine Navigation, Lewis v. Kettner;

His Royal Highness the Grand Duke of Hesse and by Rhine, his Privy Councillor and Plenipotentiary at the Rhine Navigation Central Commission, Charles Augustus Verdier de la Blaquière;

His Majesty the King of Wurtemberg, his Financial Councillor William Vayhinger, as Plenipotentiaries, and these have agreed upon the following Neckar Navigation Ordinance which, as a Treaty, must not be altered without the consent of all parties.

Arts. I to LXIX. (See Table.)

Carlsruhe, 1st July, 1842.

REGENAUER.
v. KETTNER.
VERDIER DE LA BLAQUIERE.
VAYHINGER.

Annexes *A*, *B*, *C*.—*Tariffs and Forms.*

Annex A.—Tariff of Ship-certificate dues.
„ B.—Tariff for the Neckar-toll.
„ C.—Forms of Manifest.

No. 195.—*BOUNDARY TREATY between Belgium and the Netherlands. Signed at the Hague, 5th November, 1842.**

ART. TABLE.

Preamble. Reference to Treaty of 19th April, 1839.

CHAPTER I.

1. Boundary between *Belgium* and *Luxemburg* on the road from *Bastogne* to *Arlon*.
2. *Bergeroth*, *Stamproy*, *Breversroth*, *Heyroth*, *Haubroeckroth*, and *Neer Itteren*, in the North of *Limburg* to belong to the *Netherlands*, as well as the nearest point of the *Mannestraat*, towards *Neer Itteren*. *Belgium* to keep the *Beersel*. From *Lakenhoff* to the *Meuse* the Boundary to remain as already determined upon, reserving *Ittervoort* and *Thorn* to the *Netherlands*.
3. *Belgian* Government may entrust construction of a Canal or Road to a Company.
4. Limit from *Wachtebeke* to the *Terneuzen* Canal.
5. Axis of *Terneuzen* Canal to remain as the Limit between *Fort St. Antoine* and the *Stuyver* Hamlet.
6. Boundary from the *Terneuzen* Canal to the Sluice *Noire*.
7. Boundary from the Sluice *Noire* to the *Krakeel* low lands, known as *Vryendyk*.
8. Boundaries on the low lands of *Krakeel* and *Brandkreek*.
9. Boundaries between the Provinces of *Antwerp* and *Zeland*.
10. Demarcation of Limit at *Smeermaas*.
11. Boundary between *Belgian* Communes of *Neerpelt*, *Overpelt*, *Loppel* (*Limburg*), and *Moll* (*Antwerp*), and *Dutch* Communes of *Bergeyk*, *Lincksgestel*, *Hoogloon* and *Bladel* (North *Brabant*).
12. Boundary between *Belgian* Commune of *Mouland* (*Liege*), and *Dutch* Commune of *Eysden* (*Limburg*).
13. Boundary between *Dutch* Commune of *Baar-le-Nassau* (North *Brabant*) and *Belgian* Commune of *Wortel* (*Antwerp*).
14. Roads crossing *Baar-le-Nassau* (*Netherlands*) and *Baar-le-Duc* (*Belgium*).
15. Plans to be annexed to Articles IV to XIII.

CHAPTER II. *Section I.*

16 to 19. Navigation of the *Scheldt*.

Section II.

20 to 37. Navigation of *Terneuzen* Canal.

Section III.

38 to 49. Navigation of intermediate Waters between the *Scheldt* and the *Rhine*.

* See also Treaty of 8th August, 1843, and of 11th May, 1867, respecting Luxemburg.

[Boundaries.]

Section IV.

50 to 55. Navigation of the *Meuse*.

CHAPTER III.

56 to 69. Finances.

70. Mixed Commissions to assemble 15 days after Ratification of Treaty.

71. Stipulations of the Treaty not to be separated.

72. Ratifications.

(Translation.*)

Reference to Treaty of 19*th April*, 1839.

His Majesty the King of the Belgians and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, having recognised that the point at which the labours of the Commissions appointed under the Treaty of 19th April, 1839 (**No. 184**), had reached, it has become necessary, in order to smooth all difficulties, to settle, through the intervention of the two Governments, certain points which are not sufficiently determined in the said Treaty, have appointed their Plenipotentiaries, namely:

His Majesty the King of the Belgians, the Sieurs Albert Florent Joseph Prisse, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, &c., and Aldephonse Alexander Felix du Jardin, his Chargé d'Affaires at the Royal Court of Hanover and the Hanse Towns, on an Extraordinary Mission to the Court of the Netherlands, &c.;

His Majesty the King of the Netherlands, the Sieurs Jean Guillaume Baron Huyssen de Kattendyke, his Minister for Foreign Affairs, &c.; Jean Jacques Rochussen, his Minister of Finances, &c.; and Florent Adrien van Hall, his Minister of Justice, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed upon the following explanatory Articles:

ARTS. I to LXXII. (See Table.)

Done at the Hague, the 5th day of November, 1842.

(L.S.) PRISSE. (L.S.) HUYSSEN VAN KATTENDYKE.
(L.S.) DU JARDIN. (L.S.) ROCHUSSEN.
(L.S.) F. A. VAN HALL.

* For French version, see "State Papers," vol. xxxi, p. 815.

No. 196.—*BOUNDARY CONVENTION between Belgium and the Netherlands. Signed at Maestricht, 8th August,* 1843.

ART. TABLE.

Preamble. Reference to Treaties of 19th April, 1839, and 5th November, 1842.

1. Limit between *Belgium* and *Netherlands* extends from *Prussia* to the *North Sea.* Maps and Plans drawn by Commissioners.

2 and 3. Maps and Plans drawn in Sections.

4. Limit from *Prussia* to the *Meuse* beginning at the point of Contact of the Communes of *Vaals* (*Netherlands*), *Gemmenich* (*Belgium*), *Laurensberg* (*Prussia*), and *Moresnet* (Neutral Territory). Limit formed by the Course of the *Meuse* as well as by the Radius of *Maestricht.*

5. Mutual exchanges and Cessions of Territory; by the *Netherlands,* in the Communes of *Vaals, Wittem, Mesch,* and *Eysden;* by *Belgium,* in the Communes of *Gemmenich, Sippenaeken,* and *Fouron-le-Comte.*

6 to 9. Boundary Roads belonging to the *Netherlands* and to *Belgium.*

10. Regulations relative to the Limits formed by the *Meuse.*

11. Limit in case of the bed of the *Meuse* being changed.

12. Fisheries on the *Meuse.*

13. Ferry Boats, &c., free to Navigate the *Meuse,* where it forms the Limit.

14. Description of Frontier between the *Meuse* and the *Scheldt.* Limit formed by that part of the *Scheldt* which separates the Province of *Antwerp* from the Province of *Zeland.*

15. Cession by *Belgium* of part of *Koelegrient* and *Stevensweert* on the left bank of the *Meuse,* of part of the Communes of *Lommel, Moll,* and *Wortel.*

16. Cession by *Netherlands* of parts of the Communes of *Thorn, Ittervoort, Bergeyk,* and *Luyksgestel.*

17 to 21. General Arrangements relative to Boundary Roads.

22. Limit on the *Scheldt* changeable according to the Thalweg of the River.

23. Description of Frontier from the *Scheldt* to the *Black Sea.*

24. Cessions by the *Netherlands* of parts of the Communes of *La Clinge, St. Jean Steen, Ste. Croix, St. Laurent, Middleburg,* and *Sas de Gand.*

25. Cessions by *Belgium* of parts of the Communes of *La Clinge, St. Gilles, Middleburg,* and *Assenede.*

26 to 30. Boundary Roads.

31. Freedom of Navigation of *River Zwin,* wherever it forms the Limit.

32 to 34. General Arrangements relative to Boundary Roads.

35 and 36. Regulations relative to Rivers common to both States.

37 and 38. Mixed Proprietors.
39. Property belonging to Communes, &c.
40. Territories exchanged or ceded to change hands within 6 Weeks from the exchange of Ratifications.
41. Archives, Maps, and Documents to be given up within 6 Weeks after the exchange of Ratifications.
42. Militiamen belonging to ceded Territories to be given up.
43. Demarcation of Frontier to begin one month after Ratification of Treaty.
44. Ratifications.

(Translation.*)

Reference to Treaties of 19*th April*, 1839, *and* 5*th November*, 1842.

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, and His Majesty the King of the Belgians, taking into consideration the Treaty of 19th April, 1839 (**No. 184**), and wishing to regulate and settle everything relating to the delimitation between the Kingdom of the Netherlands and the Kingdom of Belgium, have appointed to that effect, in conformity to Article VI of the said Treaty, Commissioners, namely:

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, the Sieurs Paul Eustace René van Hooff, his Aide-de-Camp on Extraordinary Service, &c., Guillaume Dominique Alois Kerens de Wolfrath, District Commissioner at Maestricht, &c.; Michel Tock, his Commissioner for the regulation of the Navigation and of the Right of Navigation on the Danube, &c.; François Joseph Charles Marie Wirz, Superior Councillor of Public Works in the Grand Duchy of Luxemburg, &c.; and Etienne de Kruyff, Engineer-in-Chief of the Waterstaat, &c.;

His Majesty the King of the Belgians, the Sieurs André Edouard Jolly, Major-General, Commander of the Province of Antwerp, &c.; Nicolas Berger, President of the Tribunal of First Instance at Arlon, &c.; Jean Baptiste Vifquain, Inspector of Roads and Bridges, &c.; Charles Emmanuel François Joseph Grandgagnage, Director of Direct Taxes, Customs and Excise, and Surveyor in the Province of Liége, &c.; and Viscount Charles Ghislain Guillaume Vilain XIIII, Member of the Chamber of Representatives, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, and in conformity with the Supplementary Treaty of 5th November, 1842, have agreed upon the following Articles:

* For French version, see "State Papers," vol. xxxv, p. 1202.

[Boundaries.]

ARTS. I to XLIV. (See Table.)
Done at Maestricht, 8th August, 1843.

(L.S.) JOLLY.
(L.S.) BERGER.
(L.S.) J. B. VIFQUAIN.
(L.S.) GRANDGAGNAGE.
(L.S.) VICOMTE VILAIN XIIII.
(L.S.) VAN HOOFF.
(L.S.) G. KERENS.
(L.S.) M. TOCK.
(L.S.) WIRZ.
(L.S.) E. DE KRUYFF.

ADDITIONAL ARTICLES.

Explanation of Article XX of Treaty of 3rd May, 1815, between Austria and Prussia, relative to Privileges of Proprietors of Estates divided by the Frontier.

(ANNEX).—REGULATION *relative to the planting of Boundary Posts.*

No. 197.—*TREATY between Austria and Bavaria respecting the Boundary of Tyrol and Vorarlberg. Signed at Munich, 30th January, 1844.*

ART. TABLE.

Preamble.
1. The Boundary to be divided into 3 sections, viz., 1, from *Scheibelberg* to the River *Inn*; 2, from the left Bank of the *Inn* to the River *Lech*; 3, from the *Lech* to the Lake of *Constance*.
2 to 4 } Description of Boundary Line (Section I), from *Scheibelberg* to the River *Inn*.
5 to 7 } Description of Boundary Line (Section 2), from the left Bank of the *Inn* to the River *Lech*.
8 to 12. } Description of Boundary Line (Section 3), from the *Lech* to the Lake *Constance*.
13. *Austria* renounces all rights over the Hamlets of *Spielmannsau* with *Tranchberg* and *Biesling* or *Biesings*; *Bavaria* relinquishes her rights over *Pfronten*.
14. Boundary in the River *Laiblach*.
15 and 16. *Austria* to retain the Sovereignty of part of the District of *Jungholz*.
17. All exchanges of Land herein agreed to take place on the Ratification of the Treaty.
18 to 25 } Previous Rights over ceded Lands reciprocally relinquished; private Rights reserved; levy of taxes, &c.
26 and 27. Certain Roads to remain common to both Parties.
28 and 29. Fishing in the *Laiblach* to belong to *Bavaria*; maintenance of Bridges over that River.
30 to 40 } Marking the new Line; periodical inspection of Boundary, &c.
41. Settlement of disputes.
42. Ratifications.

(Translation.)

HIS Majesty the Emperor of Austria and His Majesty the King of Bavaria, animated by the same desire of putting an end to the controversies respecting the Boundary between the Principality of Tyrol with Vorarlberg and the Kingdom of Bavaria, and of preventing such Boundary disputes in future, have resolved to have the whole Boundary line, from Scheibelberg, where the

Boundaries of Salzburg, Tyrol, and Bavaria meet, to the Lake of Constance (Bodensee), examined by Commissioners, and to have it defined and permanently marked.

His Majesty the Emperor of Austria has therefore appointed his Councillor Daniel Mensi, Ritter von Klarbach, and

His Majesty the King of Bavaria, his Councillor Francis de Paula Auer, as their Commissioners, and these have agreed to the following Treaty:

ARTS. I to XLII. (See Table.)

Munich, 30th January, 1844.

(L.S.) DANIEL MENSI.
(L.S.) RITTER V. KLARBACH.
(L.S.) AUER.

No. 198. — *CONVENTION between Austria, Prussia, Saxony, Hanover, Denmark, Mecklenburg-Schwerin, Anhalt-Cœthen, Anhalt-Dessau, Anhalt-Bernburg, Lubeck, and Hamburg, relative to the Regulation of the Brunshausen (or Stade) Toll. Signed at Dresden, 13th April, 1844.**

ART. TABLE.

Preamble. Reference to Vienna Congress Treaty of 9th June, 1815.
1. *Brunshausen Toll* Regulations.
2. Revision of Tariff by *Brunshausen Toll* Commission.
3. *Hanover* to issue further Directions for carrying Regulations into effect.
4. Rights of *Elbe-bordering States* relative to the *Brunshausen Toll*.
5. Privilege of Most Favoured Nation to Shipping of *Elbe-bordering States*. Exceptions granted to Inland Goods in Inland Vessels and *Hamburgh* Goods in *Hamburgh* Vessels.
6. Art. XV of *Elbe* Navigation Act of 23rd June, 1821, cancelled.
7. Ratifications.

SEPARATE ARTICLES.

A. *Hanover* to prepare Alphabetical List of Goods, and of fixed Weights agreed upon.
B. Duty on Articles not enumerated in the Tariff not to exceed ¼ per cent.
C. Revision of *Brunshausen Toll* Tariff every 25 years. Exception of certain Articles. Reduction of *Brunshausen Toll* in case of diminution of Price.
D. Weight of certain Articles to be ascertained by Cubic Content.

(Translation as laid before Parliament.)

Reference to Vienna Congress Treaty of 9th June, 1815.

IN conformity with Articles CVIII to CXVI of the Act of the Congress of Vienna of the 9th June, 1815 (**No. 27**), the Elbe-bordering States have caused a negotiation to be opened by the Second Revising Commission of the Elbe Navigation, assembled at Dresden, relative to an improved Regulation, affording greater facilities to Navigation and Trade, of the system and control of the Dues which the Hanoverian Government has to levy under the denomination of the Brunshausen (formerly Stade) Toll, upon such goods as shall arrive from the North Sea, and, ascending the Elbe, shall pass the mouth of the Schwinge; and for this

* The Stade Toll was abolished by a Treaty dated 22nd June, 1861; and the Elbe Duties were abolished by a Treaty dated 22nd June, 1870.

purpose those States have named as their Commissioners, that is to say:—

His Majesty the Emperor of Austria, King of Hungary and Bohemia, his Government Councillor and Consul-General in East and West Prussia, Eduard Nicolaus, Knight of Henneberg;

His Majesty the King of Prussia, his Privy Councillor of Government and Plenipotentiary to the Customs Union, Carl Friederich Heinrich Albert Gustav Wendt, &c.;

His Majesty the King of Saxony, the Director of the first division of His Majesty's Treasury, Karl Wehner, &c.;

His Majesty the King of Hanover, his Councillor of Taxes, Dr. Otto Carl Franz Klenze, &c.;

His Majesty the King of Denmark, as Duke of Holstein and Lauenburg, his Councillor of State and Chief of Division in the General Board of Customs and Trade, Carl Philipp Franke, &c.;

His Royal Highness the Grand Duke of Mecklenburg-Schwerin, his Councillor of Finance, Leopold Friederich Heinrich Wendt;

His Serene Highness the senior reigning Duke of Anhalt-Cœthen, His Serene Highness the reigning Duke of Anhalt-Dessau, His Serene Highness the reigning Duke of Anhalt-Bernburg, their Privy Councillor of Finance, August Ludwig von Behr, &c.;

The Supreme Senate of the Free and Hanseatic Town of Lubeck, in right of the joint possession of Bergedorff, the Senator Dr. Heinrich Brehmer; and

The Supreme Senate of the Free and Hanseatic Town of Hamburgh, the Senator Dr. Gustav Heinrich Kirchenpauer;

Who, under reservation of the Ratifications of their respective Sovereigns and Governments, have agreed upon the following arrangements:

Brunshausen Toll Regulations.

ART. I. The arrangements with respect to the Brunshausen Toll are recorded in the Regulations hereunto annexed, which Regulations will come into force on the 1st of October, 1844, and cannot be altered without the common consent of the Contracting States.*

Revision of Tariff by Brunshausen Toll Commission.

ART. II. It shall be incumbent on the future Revising Com-

* See also Separate Articles, page 1039.

missions of the Elbe Navigation to discuss and examine the Tariff and all that relates to the Brunshausen Toll, in the same manner and form in which they discuss what relates to the other Elbe Tolls, and more especially to take care that the Table of weights forming the 4th Annex to the Regulations, the object of which is to facilitate the payment of the Duty on such goods as are not regularly sold and sent by weight, shall remain always in accordance with the true average weight of the articles therein enumerated, and to complete such table as occasion may arise.*

Hanover to issue further Directions for carrying Regulations into effect.

ART. III. The further Directions necessary for carrying the Regulations agreed upon into effect will have to be issued by the Royal Hanoverian Government; but those Directions may not be at variance with the arrangements contained in the Regulations, or with the provisions of the present Convention.

Rights of Elbe-bordering States relative to the Brunshausen Toll.

ART. IV. If the Government of an Elbe-bordering State shall consider its Rights as established by Treaty, to have been prejudiced by a Decision of the Brunshausen Elbe Toll Tribunal, that Government shall be at liberty to enter into negotiations with the Royal Hanoverian Government with respect to the transaction.

Privilege of Most Favoured Nation to Shipping of Elbe-bordering States.

ART. V. The Royal Hanoverian Government shall at all times allow the Shipping of all the Elbe-bordering States to participate, with regard to the Brunshausen Toll, in every advantage which has been or shall in future be granted by Treaty in this respect to the Most Favoured Nations.

Exceptions granted to Inland Goods in Inland Vessels, and Hamburgh Goods in Hamburgh Vessels.

This Stipulation has, however, of course, no reference to the Exemptions and Immunities which have been or may in future be granted to Inland Goods in Inland Vessels, and to the Goods of Hamburgh citizens imported in Vessels belonging to Hamburgh citizens.

* See also Separate Articles, page 1039.

Art. XV of Elbe Navigation Act, &c., Cancelled.

ART. VI. Article XV of the Elbe Navigation Act (**Nos. 110—111**), as well as all Claims and Titles of an anterior date which shall be at variance with the present Convention and its Annexes are hereby cancelled.

Ratifications.

ART. VII. The present Convention shall be ratified, and the Ratifications shall be exchanged simultaneously and in connection with those of the Final Act of the Second Revising Commission of the Elbe Navigation.

In witness whereof the present Convention has been signed and sealed by the Plenipotentiaries.

Done at Dresden, the 13th of April, in the year 1844.

(L.S.) EDUARD NICOLAUS, *Knight of Henneberg.*
(L.S.) CARL FRIEDERICH HEINRICH ALBERT GUSTAV WENDT.
(L.S.) KARL WEHNER.
(L.S.) DR. OTTO CARL FRANZ KLENZE.
(L.S.) CARL PHILIPP FRANKE.
(L.S.) LEOPOLD FRIEDERICH HEINRICH WENDT.
(L.S.) AUGUST LUDWIG VON BEHR.
(L.S.) DR. HEINRICH BREHMER.
(L.S.) DR. GUSTAV HEINRICH KIRCHENPAUER.

SEPARATE ARTICLES. *Dresden, 13th April,* 1844.

IN concluding the Convention of the present day, relative to the regulation of the Brünshausen Toll, the undersigned Commissioners have further agreed upon the following Separate Articles, which, although not intended for unconditional publicity, shall still be subject to Ratification, and shall have the same force and value as if they had been word for word inserted in that Convention.

SEPARATE ARTICLE A *to Article I of the Convention, and to the Tariff.*

Hanover to prepare Alphabetical List of Goods and of fixed Weights agreed upon.

SEPARATE ARTICLE B *to Article I of the Convention, and to the Tariff.*

Duty on Articles not enumerated in the Tariff not to exceed $\frac{1}{4}$ per cent.

SEPARATE ARTICLE C *to Article II of the Convention, and to the Tariff.*

Revision of Brunshausen-Toll Tariff every 25 Years.

On the demand of the other Elbe-bordering States, the Royal Hanoverian Government will, at the expiration of every 25 years, submit the Tariff of the Brunshausen Toll to a Revision by the Revising Commission of the Elbe Navigation, with the view of reducing to $\frac{1}{4}$ per cent. of the ascertained average price of goods such rates of Duty as shall, according to the average Hamburgh exchange price of the 3 years last past of the goods rated, be shown to exceed $\frac{3}{8}$ per cent., it being understood that if that rate shall give a fraction, the Duty to be paid shall always be in full.

Exception of certain Articles.

Reduction of Brunshausen Toll in case of Diminution of Price.

SEPARATE ARTICLE D *to Article III of the Convention, and* § 11, *No.* 2, *of the Regulations.*

Weight of certain Articles to be ascertained by Cubic Content.

Done at Dresden the 13th of April, in the year 1844.

(L.S.) EDUARD NICOLAUS, *Ritter von Henneberg.*
(L.S.) CARL FRIEDERICH H. A. G. WENDT.
(L.S.) KARL WEHNER.
(L.S.) DR. OTTO CARL FRANZ KLENZE.
(L.S.) CARL PHILIPP FRANKE.
(L.S.) LEOPOLD FRIEDERICH HEINRICH WENDT.
(L.S.) AUGUST LUDWIG VON BEHR.
(L.S.) DR. HEINRICH BREHMER.
(L.S.) DR. GUSTAV HEINRICH KIRCHENPAUER.

(ANNEX.)—REGULATIONS *regarding the Brunshausen Toll and Tariff.*

No. 199.—*TREATY between Great Britain and Hanover. Signed at London, 22nd July, 1844.*

ART. TABLE.

Preamble.
1. Vessels of either Nation placed on footing of National Vessels in respective Ports.
2. Exports from Ports of *Hanover* in *British* Vessels. Exports from *British* Ports in *Hanoverian* Vessels. Imports into *British* Ports in Vessels of *Hanover*. Imports into *Hanoverian* Ports in *British* Vessels.
3. Reciprocity on Imports into Ports of *Great Britain* and *Hanover* in Vessels of either Country.
4. Reciprocity on Exports from Ports of *Great Britain* and *Hanover* in Vessels of either Country.
5. Imports into *British* Ports in *Hanoverian* Vessels from Mouths of the *Meuse*, the *Ems*, the *Weser*, and the *Elbe*, or from Mouths of Navigable *Rivers* between the *Elbe* and the *Meuse*, or between the *Trave* and the *Memel*. Conditions of continuance of above Privileges.
6. Stade or *Brunshausen Toll* and charges on *British* Vessels. Exception in favour of certain Articles of *British* Produce and Manufacture. Production of Papers by *British* Vessels passing up the *Elbe*.
7. Privileges of Most Favoured Nation. Exception with reference to Privileges and Exemptions in favour of Hamburgh.
8. Duration of Treaty.
9. Ratifications.

(English Version.*)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Hanover, being equally animated by the desire of extending the Commercial relations between their respective dominions, have agreed for this purpose to conclude a Treaty of Commerce and Navigation, and to regulate thereby the Duties levied at Stade or Brunshausen upon British Vessels and Merchandize ascending the Elbe. Their Majesties have therefore named as their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George, Earl of Aberdeen, Viscount Gordon, Viscount Formartine, Lord Haddo, Methlick, Tarvis, and Kellie, a Peer of the United Kingdom, a Member of Her Majesty's Most Honourable Privy Council, and Her Majesty's Principal Secretary of State for Foreign Affairs, &c.;—

* For German version, see "State Papers," vol. xxxii, p. 8.

and the Right Honourable William Ewart Gladstone, a Member of Her Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Master of Her Majesty's Mint;

And His Majesty the King of Hanover, the Count Frederick Augustus Adolphus von Kielmansegge, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.; —and the Sieur Ernest Frederick George Hüpeden, his Privy Councillor of Finance, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

ART. I. *Vessels of either Nation placed on Footing of National Vessels in respective Ports.*

ART. II. *Exports from Ports of Hanover in British Vessels. Exports from British Ports in Hanoverian Vessels. Imports into British Ports in Vessels of Hanover. Imports into Hanoverian Ports in British Vessels.*

ART. III. *Reciprocity on Imports into Ports of Great Britain and Hanover in Vessels of either Country.*

ART. IV. *Reciprocity on Exports from Ports of Great Britain and Hanover in Vessels of either Country.*

ART. V. *Imports into British Ports in Hanoverian Vessels from Mouths of the Meuse, the Ems, the Weser, and the Elbe, or from Mouths of Navigable Rivers between the Elbe and the Meuse, or between the Trave and the Memel. Conditions of Continuance of above Privileges.*

Stade or Brunshausen Toll and Charges on British Vessels. Exception in favour of certain Articles of British Produce and Manufacture. Production of Papers by British Vessels passing up the Elbe.

ART. VI. From and after the 1st day of October, 1844, no other or higher Duties or Tolls shall be levied, as regards the Tolls or Charges known by the name of the Stade or Brunshausen Toll and Charges, on British Vessels passing up the Elbe to the point where the Tolls of the Upper Elbe commence, that is to say, up to and including the town of Hamburgh, or upon the cargoes of such Vessels, than the Tolls and Duties which are specified in the Con-

vention between the Elbe-bordering States, which was signed at Dresden on the 13th of April, 1844 (**No. 198**), and in the Separate Articles, Regulations, and Five Tables annexed thereto, copies of which Convention, Separate Articles, Regulations, and Tables are annexed to the present Treaty, and certified under the hands of the respective Plenipotentiaries.

Privileges of Most Favoured Nation.

ART. VII. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Hanover, engage reciprocally not to grant any reductions of Duties, or any Favours, Privileges, or Immunities whatsoever, in matters of Commerce and Navigation, to the subjects of any other State, which shall not be also and at the same time extended to the subjects of the other High Contracting Party, gratuitously, if the Concession in favour of the other State shall have been gratuitous, or upon giving, as nearly as possible, the same compensation or equivalent, in case the Concession shall have been conditional.

Exception with reference to Privileges and Exemptions in favour of Hamburgh.

It is however understood, that the above stipulation shall not apply to the Privileges and Exemptions, as regards the Brunshausen Toll, which the Free and Hanseatic City of Hamburgh enjoys under § 2 of the Regulations which are annexed to the Convention signed on the 13th of April, 1844 (**No. 198**), by the Commissioners of the Elbe-bordering States with respect to that Toll.

Duration of Treaty.

ART. VIII. The present Treaty shall be in force until the 1st of January, 1854, and further until the end of 12 months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same, each of the High Contracting Parties reserving to itself the right of giving such notice to the other; and it is hereby agreed between them, that at the expiration of 12 months after such notice shall have been received by either Party from the other, this Treaty, and all the provisions thereof, shall altogether cease and determine.

Ratifications.

ART. IX. The present Treaty shall be ratified, and the Ratifications thereof shall be exchanged at London at the expiration of two months, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 22nd day of July, in the year of Our Lord, 1844.

(L.S.) ABERDEEN. (L.S.) W. E. GLADSTONE.
(L.S.) A. KIELMANSEGGE. (L.S.) E. HÜPEDEN.

[By a Protocol between Great Britain and Hanover, dated 9th August, 1844, it was agreed that the Brunshausen or Stade Toll Tariff should continue in force until the Ratification, by all the Parties concerned, of the Convention of the 13th April, 1844.]

No. 200.—*TREATY of Delineation between Lucca, Modena, Tuscany, Austria, and Sardinia. Signed at Florence, 28th November*, 1844.*

ART. TABLE.

Preamble. Reference to Act of Congress of *Vienna* of 9th June, 1815; and Treaties of 18th October, 1748; 20th May, 1815; and 10th June, 1817.

1. Proposed exchange of Territory between *Lucca, Modena*, and *Tuscany Lunigiana, Barga*, and *Pietrasanta*.
2. Cession by *Lucca* to *Modena* of Territory on the right Bank of the River *Enza*, with the isolated *Duchy of Guastalla*, in exchange for the Domains of *Bazzano* and *Scurano* on the left Bank of the River *Enza*. Cession of *Barga* and *Pietrasanta* to *Tuscany*.
3. Cession by *Tuscany* to *Lucca* of detached Possessions in *Lunigiana*.
4. Cession by *Lucca* to *Modena* of all right and title to the Right Bank of the River *Enza*, and to the *Duchy of Guastalla*.
5. Division of Territory in *Lunigiana* between *Modena* and *Lucca*. Cession by *Lucca* to *Modena* of Districts of *Treschietto, Villafranca, Castevoli*, and *Melazzo*. District of *Rochetta* retained by *Modena*.
6. Territories exchanged to be free from any kind of Debt. Royalty Dues in Funded or Moveable Property.
7. *Austrian* Guarantee to *Modena* of *Guastalla* and Territory beyond the *Enza*.
8. Agreement between *ustria* and *Sardinia* of Cession of that part of *Lunigiana* assigned by *Lucca* to *Sardinia* in case of Reversion of *Parma* to *Austria*, and *Placentia* to *Sardinia*. according to Treaty of 20th May, 1815.
9. Treaty to remain Secret until Reversion of *Parma, Placentia*, and *Guastalla*. Delimitation of Frontier on Reversion.
10. Ratifications.

Separate and Secret Article.

Case in which Stipulations of Treaty shall be considered as non-existing.

(Translation.)

Preamble.

Reference to Act of Congress of Vienna of 9th June, 1815; *and Treaties of 18th October*, 1748; *20th May*, 1815; *and 10th June*, 1817.

In the Name of the Most Holy and Indivisible Trinity.

His Royal Highness the Infante of Spain, present Duke of Lucca, and prospective Duke of Parma, Placentia, and Guastalla;

* See also Treaties between Lucca and Tuscany of 4th October, 1847, and 9th December, 1847; and Sardinian Decree of 1st March, 1860.

His Royal Highness the Archduke of Austria, Duke of Modena;

His Imperial and Royal Highness the Archduke of Austria, Grand Duke of Tuscany;

Having unanimously recognised that the Frontier line of a part of their respective States is intricate and susceptible of changes, which changes are easily effected on both sides, at the epoch fixed by the Treaty of Vienna, when such permutations are to take place;

That it is impossible otherwise to remedy the defects of this Frontier than by exchanging small portions of their Territory, which are now isolated; that the power of effecting such an exchange in an amicable way is expressly reserved to the interested party by Article XCVIII of the Act of the Congress of Vienna (**No. 27**), but which could not otherwise take place if His Imperial Royal and Apostolic Majesty, and His Majesty the King of Sardinia did not consent to a modification of the Rights of Reversion derived respectively from them, according to the Treaty of Aix-la-Chapelle of 1748,* and from what was concluded on the 20th of May, 1815 (**No. 19**), between Austria and Sardinia, which rights are expressly mentioned in the Act of the Congress of Vienna (**No. 27**), and confirmed by the Treaty of Paris on the 10th of June, 1817 (**No. 73**);

The 3 Sovereigns have to this intent addressed themselves to their Majesties before mentioned; and

His Imperial Royal and Apostolic Majesty being convinced of the utility of having the Frontier line made clearer, and being exceedingly desirous of contributing, even at a sacrifice on his part, towards a design of such interest to the Sovereigns of the above-mentioned States, was of opinion that the best way of attaining the object would be to open an express negotiation in Florence;

And His Majesty the King of Sardinia, no less anxious to give to the Sovereigns of Lucca, Modena, and Tuscany, the warmest demonstrations of his confidence and friendship, having also consented to take part in the Treaty, the High Contracting Powers interested in the negotiation having named as their Plenipotentiaries, that is to say:

His Imperial Royal and Apostolic Majesty the Chevalier

* See Appendix.

Camillo Vaccani di Fort' Olivo, Major-General of the Corps of Engineers in his Army, &c.;

His Royal Highness the Infante, and reigning Duke of Lucca, prospective Duke of Parma, Placentia, and Guastalla, the Councillor of State, Antonio Raffaelli, entrusted with the Portfolio of the Ministry for Foreign Affairs, &c.;

His Royal Highness the Archduke Duke of Modena, Count Giuseppe Forni, his Chamberlain and Councillor of State, and Head Majordomo of His Royal Highness the Archduke, and Hereditary Prince of the Duchy of Modena, &c.;

His Majesty the King of Sardinia, the Marquis Giovanni Baptista Carrega, his Minister resident in Tuscany, and named expressly for the present occasion to be his Minister Plenipotentiary, &c.;

His Imperial and Royal Highness the Archduke Grand Duke of Tuscany, the Councillor and Secretary of State and Minister for Foreign Affairs, Don Neri de Principi Corsini, Chief Director of the Royal Secretaries, &c.;

Who, having assembled in Florence, and having exhibited their Full Powers, which were all found to be in due form, have, in the amicable way prescribed by the Congress of Vienna, for the above-mentioned exchange, agreed upon the Articles which here follow:

Proposed exchange of Territory between Lucca, Modena, and Tuscany, Lunigiana, Barga, and Pietrasanta.

ART. I. His Royal Highness the Infante, present Duke of Lucca, prospective Duke of Parma, Placentia, and Guastalla, finding that the incorporation of a part of the Lunigiana, situate on the southern watershed of the Apennines, would be highly advantageous; and His Imperial and Royal Highness the Grand Duke of Tuscany being also particularly desirous of retaining as part of his dominions the two townships (*vicariati*) of Barga and Pietrasanta, which, although belonging to him, are, at present, detached therefrom, but which, by the annexation of Lucca to Tuscany, as settled by Article CII of the Act of the Congress of Vienna (**No. 27**), would, if ever they should be ceded, adjoin his said dominions, have agreed on proposing to His Royal Highness the Duke of Modena the exchange of these two townships of Barga and Pietrasanta in lieu of the isolated Duchy of Guastalla, and of

that part of the Parmesan Territory situate on the right of the River Enza, in which case alone the isolated Tuscan districts in Lunigiana would be made over to His Royal Highness the prospective Duke of Parma, now Duke of Lucca, a Cession whereby His Royal Highness would acquire not only a Territory contiguous to his future Duchy of Parma and nearer to the Mediterranean, but also the only practicable means of commuting the various inclosures (*enclaves*), and of establishing there a regular Frontier line with His Royal Highness the Duke of Modena, sole possessor of the fiefs which are similarly isolated in Lunigiana.

Cession by Lucca to Modena of Territory on the right Bank of the River Enza, with the isolated Duchy of Guastalla, in exchange for the Domains of Bazzano and Scurano on the left Bank of the River Enza. Cession of Barga and Pietrasanta to Tuscany.

Art. II. His Royal Highness the Duke of Modena, in consideration of the spontaneous offer made to him by His Royal Highness the Infante, present Duke of Lucca and prospective Duke of Parma, Placentia, and Guastalla, "to give up, *i.e.*, to him, his heirs and successors, in full possession and Sovereignty, the Territory on the right bank of the Enza, together with the isolated Duchy of Guastalla, now inclosed between the Lombard and Modenese States, providing that His Royal Highness the Duke of Modena should give up to him the Modenese Territories situate on the left bank of that River, and also cede to Tuscany the two townships of Barga and Pietrasanta, assigned to him by the Congress of Vienna (**No. 27**)," accepts this exchange, and for this reason exclusively renounces for himself, his heirs and successors, the possession of the Domains ("*terres*") of Bazzano and Scurano, on the left bank of the Enza, in favour of His Royal Highness the present Duke of Lucca, and prospective Duke of Parma, as well as the possession assigned to him by the Congress of Vienna of the two townships of Barga and Pietrasanta in favour of His Imperial and Royal Highness the Grand Duke of Tuscany, consenting that they shall continue to form for ever an integral portion of the Grand Duchy, as they do at the present moment, under the following conditions:

1. That it should be always recognized that, in lieu of the townships of Barga and Pietrasanta, he should enter into the solemn and absolute possession of the Duchy of Guastalla, and of those parts of the Parmesan Territory which are on the right

bank of the Enza, and should freely take possession of these Territories which were freely ceded to him by their legitimate Sovereign, in exchange for, and in the place of, the above-mentioned townships of Barga and Pietrasanta.

2. That that portion of the Apennines in the township or district of Barga which runs into the Modenese Teritory be ceded to him, so that the Boundary may be on the right between the mountains of Piastrajo and Porticciola, and no longer on the east side of these mountains.

3. That the Lake of Porta, near the sea, in the district of Pietrasanta, which is now divided between this last-mentioned Tuscan Territory and the Lucchese Territory of Montignoso, contiguous to it, made over to him by the Congress of Vienna, continue to remain in his full possession, together with that strip of land designated in Article IX mentioned hereafter; the Modenese Government promising not to permit the cultivation of rice-fields in this space of land, so ceded to it, and also to keep in repair the sluices at present existing, or else to substitute for them some other method, which may be effective in preventing the injurious mixture of the salt water with the fresh, and that the Tuscan Government undertake to allow to run into the Lake, and by its proper outlet, the water which at present flows therein, especially from Seravezza, and that it permit all the materials which may be necessary for the restoration of these sluices to be excavated from the Masso di Porta (always respecting the rights of private individuals), authorising the transport of these materials along the canal of Porta.

4. That a road for carriages should be opened and maintained by the Tuscan Government at its own expense, passing through the township of Pietrasanta from the post-road to the confine of the Garfagnana in the neighbourhood of Petrosciana, and that the same should be always open for the passage of Modenese subjects and their goods as being the most easy and direct communication between Massa and the Garfagnana; nor can any exception be made, unless the existence of the plague or of the cholera-morbus in the Modenese States should be, unfortunately, proved, and that Tuscany should establish there, as in other places of its frontier, special lazarettoes, under which circumstance alone the inhabitants of the Duchy of Modena should be prohibited from passing, should they not have performed the quarantine required by the Tuscan lazaretto. In other cases of

mere suspicion or disagreement concerning sanitary measures, the Modenese subjects will be allowed to pass under a sanitary escort. In like manner, whenever there may be occasion for the transit of Modenese troops, arms, or ammunition on this road, the Modenese Government will give notice beforehand, through its Minister, to the Tuscan Government, excepting in some exceedingly particular case of great emergency, and in which the announcement will be made direct by the Governors of Massa and the Garfagnana to the Government authority in Pietrasanta.

With regard to the transit of objects of regalia, which is also to be allowed to the Modenese, the system of effecting it shall be agreed upon between the two Governments, in such a way that the finances of Tuscany may not be injured thereby.

On the Modenese branch of this road of the Petrosciana which might offer a more commodious communication to the inhabitants of the towns of Barga and Pietrasanta, His Royal Highness the Duke of Modena consents that whenever they may have occasion to make use of it for the transport of their manufactures or territorial produce, on their leaving the Modenese Territory, the whole of the Transit Duty which may have been paid by them on their entering it shall be returned to them, and that the mode of carrying this measure into execution should be regulated in the way that shall be judged most proper.

Cession by Tuscany to Lucca of detached Possessions in Lunigiana.

Art. III. His Imperial and Royal Highness the Grand Duke of Tuscany, adhering to the above-mentioned conditions, for the purpose of keeping annexed to Tuscany the two townships of Barga and Pietrasanta, cedes to His Royal Highness the present Duke of Lucca and prospective Duke of Parma, his various detached possessions in the Lunigiana, and consequently fully authorises any changes in the new line of Frontier that he may intend agreeing upon in concert with His Royal Highness the Duke of Modena, both as regards the welfare of the population and the benefit of the ducal dominions to the north of the Apennines.

Cession by Lucca to Modena of all right and title to the Right Bank of the River Enza, and to the Duchy of Guastalla.

Art. IV. His Royal Highness the present Duke of Lucca, prospective Duke of Parma, Placentia, and Guastalla, having determined to renounce the last-mentioned isolated Duchy, as well as his Possessions on the Right Bank of the Enza, in favour

of His Royal Highness the Duke of Modena, for the object so favourable and advantageous to his own united Duchies of Parma and Placentia, inasmuch as Tuscany makes over to him Pontremoli, Bagnone, and the lands annexed to them in the Lunigiana, by which means a more direct commercial communication by sea will be opened to him, cedes, for this reason to His aforesaid Royal Highness the Duke of Modena, his heirs and successors, all his right and title to the Right Bank of the Enza, and to the Duchy of Guastalla, for himself, his heirs and successors, and unites to his future Duchy of Parma, besides the Territories in Lunigiana which were given up to him by Tuscany, and not exchanged with Modena, according to the Article which follows, the Territories actually belonging to Modena on the Left Bank of the Enza, declaring that from the present moment the middle of this River (*Thalweg*) shall be considered, from the day of reversion, already provided for by Article CII of the Congress of Vienna (**No. 27**), to be the Limit between the States of Parma and Modena, from that part of the Apennines where it meets the ancient frontier near Lake Squincio, to Brescello on the Po, provided that the navigation, if practicable, be free and open to both Parties, as also that both may make use of the water for any manufactories that may be situated on the banks, the peculiar rights of irrigation remaining as they already exist, and that no description of works be undertaken that might damage either side of the River.

Division of Territory in Lunigiana between Modena and Lucca.

ART. V. Their Royal Highnesses the Duke of Modena and the present Duke of Lucca, prospective Duke of Parma, having seriously and maturely deliberated on their reciprocal interests in Lunigiana, which are now isolated and divided by an irregular line of Frontier, producing many inconveniences both Political and Financial, from its being impossible for either Party to reach his own Territory without being several times, and at very brief intervals, obliged to pass through that of the other, have determined on dividing between themselves those Fiefs and Territories now belonging to Modena and Tuscany, in the following manner, and with the following conditions:

Cession by Lucca to Modena of the Districts of Treschietto, Villafranca, Castevoli, and Mulazzo.

1. His Royal Highness the present Duke of Lucca, pro-

spective Duke of Parma, who by ceding the isolated Duchy of Guastalla and the Territories beyond the Enza, to His Royal Highness the Duke of Modena succeeded in obtaining from Tuscany in Lunigiana, Potremoli, Bagnone, Groppoli, Lusuolo, Terrarossa, Albiano, and Calice, makes an amicable exchange of some of these Territories which are not united together, for some isolated Fiefs belonging to the Duke of Modena, receiving instead of these the, at present, isolated Districts of Treschietto, Villafranca, Castevoli, and Mulazzo, as far as the Frontier line more particularly designated hereafter in Article IX; thus forming of several detached parts one united body of dominion on the south watershed of the Apennines, and in immediate contact with Parma, by the River Cisa.

District of Rochetta retained by Modena.

2. His Royal Highness the Duke of Modena, wishing to retain in his dominions in Lunigiana that portion or District called Rochetta, being the most western part of his Territory, now divided from the rest of the Modenese States, and bordering on those of Sardinia, as well as the districts, also his, of Podenzana and of Tresana, near those of Aulla on the River Magra, takes possession of the District of Calice, in order to approach them with more facility, and also unites to this slip of land, which, for the most part, already belongs to him, the neighbouring districts of Albiano, Rico, and Terrarossa, which, together with Calice, will replace those fiefs of Treschietto, Villafranca, Castevoli, and Mulazzo, which he renounces, and which the Congress of Vienna, giving its consent to an amicable exchange, considered as annexed to the States of Massa and Carrara, by the respective order of Succession, and by the Rights of Reversion preserved for them by Article XCVIII.

Territories exchanged to be free from any kind of Debt, Royalty Dues on Funded or Moveable Property.

Art. VI. It has been mutually agreed that the exchanged Territories shall not be burthened by any kind of Debt, excepting that belonging to the Commune, if ever such existed, and that if there happen to be any other description of impositions or Debts (*aggravj*), the ceding Party will be considered liable for them. Thus the ecclesiastical Tax (*canone*) now owing by the State of Lucca to the community of Barga for Monte Gragno, will be

transferred to Tuscany, the moment the reversion of Territory is effected; which State obliges itself from that moment to consider all the clauses and conditions of the ancient Copyhold (*livello*) as abrogated and extinguished in such a way that the Monte di Gragno, becoming part of Modena, shall be entirely free from any obligation thereunto belonging.

His Royal Highness the Duke of Modena making, notwithstanding, an especial exception as regards the Debt of his future Duchy of Guastalla, inscribed in the registers of the former Monte Napoleone, consents to take upon himself, in lieu of the Duke of Parma, the liquidation of a part of the said Debt not extinct at the time of reversion, according to what the Congress of Vienna (Article XCVII) (**No. 27**), and the successive Commissions, have established as belonging to its legitimate possessors.

It has also been agreed upon, on both sides, that all Buildings, and other Property, whether Funded or Moveable, belonging to the State or to the Crown, must be subject to the Royalty Dues (*papaggio della sovranità*) existing in the different exchanged Territories, without being detrimental to the possessors of ecclesiastical property or of pious places; and it is also understood that Allodial Property, where it exists, should be reciprocally excluded from these Cessions common to both Parties.

Austrian Guarantee to Modena of Guastalla and Territory beyond the Enza.

Art. VII. His Majesty the Emperor of Austria, in recognizing the Cession of Guastalla and of the Territory beyond the Enza, to His Royal Highness the Duke of Modena, by His Royal Highness the Duke of Lucca, prospective Duke of Parma, who spontaneously renounces the same, for motives explained in the present Treaty, guarantees to His Royal Highness the Duke of Modena, his heirs and successors, that in no way whatsoever shall they be disturbed in the pacific possession of those Territories by any one who may pretend to have a right or pretext to the same; declaring at the same time that he agrees to transfer to the district of Pontremoli and to the other portion of the Lunigiana, which is assigned to the present Duke of Lucca, prospective Duke of Parma, the right of reversion on Guastalla and the Territory on the other bank of the Enza to which he is entitled.

Agreement between Austria and Sardinia of Cession of that part of Lunigiana assigned by Lucca to Sardinia in case of Reversion of Parma to Austria and Placentia to Sardinia according to Treaty of 20th May, 1815.

ART. VIII. It remains, however, agreed upon between His Majesty the Emperor of Austria and His Majesty the King of Sardinia, that all that portion of Lunigiana which has been assigned above to the prospective Duke of Parma, and which comprehends the greatest part of the Territory, now Tuscany, of Pontremoli and Bagnone, besides the districts now Modenese, viz., Treschietto, Villafranca, Castevoli, and Mulazzo, shall be ceded in full possession and Sovereignty to His Majesty the King of Sardinia, his heirs and successors, whenever the case of Reversion contemplated by the Treaty of the 20th of May, 1815 (**No. 19**), shall come to pass, by which the Duchy of Parma would fall to Austria, and that of Placentia to Sardinia. And this concession to Sardinia will form the basis of that compensation, which, in virtue or the Additional and Separate Article of the said Treaty of the 20th of May, 1815 (**No. 19**), is due to her from Austria for giving up the City and Fortress of Placentia, together with its portion of the surrounding district, as determined and agreed upon between them. Nevertheless, the value of the above-mentioned States to be exchanged between them, namely, Placentia, with a circle (*zona*) or district that has been decided upon, and the Parmesan Territory which borders on Sardinia, must be ascertained and agreed upon at the precise time of Reversion, in an impartial and equitable manner by an Austro-Sardinian Commission, and, in the improbable case of dissension, it has been agreed between the two Parties to refer the case at once to the decision of the Holy See.

Treaty to remain Secret until Reversion of Parma, Placentia, and Guastalla.

ART. IX. And this Treaty of Exchanges of Territories, new Frontier line, and right of Reversibility, which is to be kept secret until the case foreseen by Article XCIX of the Congress of Vienna (**No. 27**), and by Article III of the Treaty of Paris of 10th of June, 1817 (**No. 73**), shall be verified, must be immediately carried into effect at that epoch by the Courts of Modena, Parma, and Tuscany, without any exception either of act or

right, and with the solicited and benevolent assistance of the other two Powers, in the following manner:

Delimitation of Frontier on Reversion.

1. His Imperial and Royal Highness the Archduke Grand Duke of Tuscany, on assuming the possession of the Duchy of Lucca, assigned to him by Article CII of the Congress of Vienna (**No. 27**), confirms as his the two townships of Barga and Pietrasanta, which are contiguous to that Duchy, with the exception only of that portion of the Apennines, which is situated among the lofty mountains of Piastrajo and Porticciola, and which runs down into the opposite Territory of Modena, to which it is to belong, establishing a Frontier line, which is to be determined by Tuscan and Modenese Commissioners; which line, winding directly over the summit and between the two declivities, shall begin and finish where the two lines descending to the watershed on the Modenese side have their origin; so that these lines being abandoned, a perfectly new one, of at least 2,200 Viennese toises shall be formed, which will unite the present confine in Porticciola with that which, descending from Monte Piastrajo, forms the limit to the Territory of Barga, towards the Garfagnana, belonging to Modena. This Limit which rejoins the River Cerchio, between Castel Vecchio and Fiattone, follows that River as far as Torrite Cava, which Torrent shall in future separate the Tuscan Territory, now the Duchy of Lucca, from the Lucchese district of Gallicano, which is to fall to His Royal Highness the Duke of Modena.

From thence following up the ancient and irregular Boundary it will extend a little above Campolensi, as far as the township of Pietrasanta, the Frontier of which remains in its present state as regards the Duchy of Modena, until at Monte Carchio it touches the present Lucchese confine of Montignoso, whence following the eastern line, which divides it from the township of Pietrasanta, it will continue it till near the Lake of Porta. And as it is mentioned in Article II, paragraph 3, that around this Lake, which becomes Modenese, a precise margin is made out, here also the Frontier line will be traced out by Tuscan and Modenese Commissioners, and in the manner now fixed upon as follows:—At the distance of 400 Tuscan braccia, measured on the shore from the mouth of the outlet of the Lake of Porta, a line shall be extended of 1,530 braccia, following the direction of

the footpath now existing, and which leads to a house, No. 16, so marked in the Tuscan Revenue Maps. From the extreme point of this line, and inclining to the footpath on the right, another line of 265 braccia is to be traced; then another third line, of 1,360 braccia, till it arrives at the Canal of Seravezza, at 100 braccia from the mouth of the Lake into which it runs; from thence, following up the east side of the road, denominated della Casetta, for the distance of 1,400 braccia, the whole configuration will be completed by a last line of 1,700 braccia, as far as the present Boundary of Montignoso, at the distance of 400 braccia from the post-road; in which perimeter are to be considered as included, besides the Maritime Fort of Cinquale together with the guard-house belonging to it, the sluices and the above-mentioned house with the road leading to it, all of which are afterwards to be given up to His Royal Highness the Duke of Modena.

2. His Royal Highness the Archduke of Modena, on assuming the possession assigned to him by the Congress of Vienna, but not ceded by the present Treaty, of the Lucchese Territories of Montignoso, Minucciano, Castiglione, and Gallicano, as well as of Fivizzano, which is now Tuscan, while on the one hand, he is relieved from all the obligations imposed upon him by the Court of Lucca for Castiglione, as settled by the Convention of the 4th of March, 1819, on the other hand, obliges himself to indemnify Tuscany for the capital laid out by her in constructing a military road from Fivizzano, according to the Act of the 5th of October, 1829, will, without waiting for anything save the immediate arrival of the Tuscan Commissioners, proceed to incorporate the district of Barga, which is specified above as being placed on the Modenese watershed of the Apennines, as also that surrounding the Lake of Porta, likewise described, and taken from the western extremity of the Tuscan Territory of Pietrasanta, as well as in Lunigiana, the Tuscan districts of Albiano, Calice, Rico, and Terrarossa, preserving exactly the actual Frontier towards Piedmont, and following in the direction of the new State of Parma, in Lunigiana, the ancient Boundary line described and drawn out in a coloured Map annexed to this Treaty, namely, the present Boundary which separates the Modenese district of Rochetta from that which is now Tuscan, of Pontremoli, for the distance of 1,300 Viennese toises, and that sinuous Boundary which separates from the Modenese district

of Mulazzo, the Tuscan one of Calice, between Casoni and Parana, for other 3,070 toises, simply united near Casoni by a short tract of new Boundary in a straight line of 200 toises, after which a new branch of 2,540 toises between Parana and the nearest point of the Frontier of Lusuolo near Castevoli; following at first the footpath of Tresana on Mount Coletta, and then descending to the left in the torrent called Canosilla. From this point the said Frontier of Lusuolo will continue as far as the Magra Contana, distant 2,080 toises; from thence between Fornoli and Terrarossa, from the Magra to the torrent of Civiglia, the last new direct branch of 700 toises will be traced, passing over the road to Pontremoli, 300 toises below Piastra, and then following the old Frontier line which ascends to the Apennines to the distance of 8,770 toises, separating from the district of Bagnone, now belonging to Tuscany, and which becomes a part of Parma, the Modenese districts of Licciana and Varano on the Taverone, which remain Modenese as well as Fivizzano. In this way the curved Frontier line in Lunigiana, between Modena and Parma, and which for the length of 19,360 toises will run from the various summits of the mountains which shut in the Magra, will consist of 15,920 toises of the old Frontier and only 3,440 toises of entirely new, divided into 3 branches, easily traceable, the first of 200 toises, the second of 2,540, the third of 700, in the precise direction from west to east.

3. His Royal Highness the present Duke of Lucca, prospective Duke of Parma, without in the least assuming the government or title to the Duchy of Guastalla, which he renounces, and the Right Bank of the Enza, which he also renounces in favour of His Royal Highness the Duke of Modena, will make an immediate Cession to the same Sovereign of one and the other Territories by means of Parmesan Commissioners, who shall be elected for that purpose; as well as of the Territories in Lunigiana in the manner hereunder defined at § 4; and at the same time His Royal Highness the Duke of Modena, by means of Modenese Commissioners, will directly give up to him the Territories of Treschietto, Villafranca, Castevoli, and Mulazzo in Lunigiana, according to the above specified Frontier line, as well as the districts on the Left Bank of the Enza, by which means this River, which descends from Monte Giogo near Fivizzano, cutting at Lake Squincio the Frontier on

the Apennines preserved for the distance of 3 Italian miles between the Duchies of Modena and Parma, upon the mountains of Tendola and Malpasso, will, in future, serve as a Limit between the two States, beginning at that Lake and ending with the River Po. And whilst Modena acquires thereby on the heights the Territory of Succiso placed between the Enza and the actual confine, it renounces that of Scurano, which is on its left; and in the same way it adds (to its Territory) a little lower down, Vedriano and Gombio on the right, and loses Bazzano on the left; finally acquiring on the right the district of Ciano and those in the plain of Gattatico, Poviglio, and St. Giorgio, as far as where the valley runs down to the River Po above Brescello; so that by this means there will be only one line of Territory united with Guastalla between the Po and the Mediterranean. And this Duchy of Guastalla, of which His Royal Highness the Duke of Modena, by the Cessions which have been made to him, assumes the sovereignty and title, preserves in the direction of the Lombardo-Venetian Kingdom, the same Boundaries as at present divide it therefrom.

4. In the same way His Royal Highness the present Duke of Lucca, prospective Duke of Parma, in assuming, according to the terms of Articles XCIX and CII of the Treaty of Vienna (**No. 27**), the sovereign dominion of his new State, and in directly making over those Grants that have been decided upon, taking the most prompt measures, in concert with the Sovereigns of Modena and Tuscany, for the due accomplishment of the new line of Boundary according to the directions here laid down, and with the lines that have been already indicated in the plan, in order to avoid any sort of doubt or discussion at the important moment of the transfer of these several Territories to new Sovereigns, and of the changes of intricate and ancient Frontier lines for new ones, that have been established as suiting better the nature of the ground, and as presenting many Territorial and Commercial advantages, will extend his immediate dominion, in concert with the Modenese Commissioners who have been appointed for that purpose, on Bazzano and Scurano, on the Left Bank of the Enza, and on Treschietto, Villafranca, Castevoli, and Mulazzo, belonging to Modena, as well as Pontremoli, Bagnone, Merizzo, Fornoli, Groppoli, and Lusuolo, which belong to Tuscany, which latter will directly make over, in the name of His Royal Highness the Duke of Parma, to His Royal Highness the Duke

of Modena, the Territories already ceded of Albiano, Calice, Rico, and Terrarossa; it being understood, that from the day of reversion the taxes are all to be in favour of the Sovereign who enters into possession of the Territory assigned to him by the present Treaty, excepting the arrears which remain in favour of the ceding Party.

Ratifications.

ART. X. The present Treaty, of which 5 copies have been made, together with the Map concerning it, also signed as the Treaty is, by the different Plenipotentiaries, who also have placed on it the Seals of their Arms, shall be ratified, and the Ratifications shall be exchanged, at Florence, in the space of two months, or sooner, if it be possible.

Done in Florence, this 28th of November, in the year of Grace, 1844.

(L.S.) N. CORSINI.
(L.S.) CAV. VACCANI DI FORT' OLIVO.
(L.S.) A. RAFFAELLI.
(L.S.) G. FORNI.
(L.S.) CARREGA.

SEPARATE AND SECRET ARTICLE.

Case in which Stipulations of Treaty shall be considered as non-existing.

(Translation.)

THE Contracting Sovereigns agree that in case of any opposition (not to be expected) on the part of any Power, and that they or their successors should not be able to enter upon the possession of the Territories exchanged, or should be disturbed in the peaceful possession of the same, from causes inherent in the Territories themselves, or existing previously to the present Treaty, then all the stipulations this day concluded in virtue of their Sovereign Rights in the sense and in completion of the solemn Act of the Congress of Vienna (**No. 27**), shall be regarded as non-existing, and that then all the provisions of the said Act of Congress shall either remain unchanged, or be revived in each respective case. So that the Duchy of Guastalla and the

other Parmesan territories contemplated in this Treaty would remain to the Sovereign of Parma, His Royal Highness the Duke of Modena would come into possession of Pietrasanta and Barga, and His Imperial and Royal Highness the Grand Duke of Tuscany would retain the Vicariats of Pontremoli and Bagnone.

The present Separate and Secret Article shall have the same force and value as if it were written word for word in the Treaty of this day; it shall be ratified, and the Ratifications shall be exchanged at the same time with those of the above Treaty.

In witness whereof the respective Plenipotentiaries have signed it, and have affixed to it the Seals of their Arms.

Done in Florence, the 28th of November, in the year of Grace, 1844.

(L.S.) CAV. VACCANI DI FORT' OLIVO.
(L.S.) A. RAFFAELLI.
(L.S.) G. FORNI.
(L.S.) CARREGA.
(L.S.) N. CORSINI.

A Map to illustrate

THE TREATIES BETWEEN
LUCCA AND TUSCANY &c.

of the

28th NOVEMBER 1844.
4th OCTOBER 1847.
9th DECEMBER 1847.

Scale of English Miles

10 0 10 20 30

A. The Duke of Tuscany. *receives the former Duchy of Lucca & the Modenese Townships of Barga & Pietrasanta*
B. The Duke of Lucca. *receives the former Tuscan Districts of Pontremoli and Bagnone, and the former Modenese Districts of Treschietto, Villafranca, Castevoli, and Mulazzo*
C. The Duke of Modena. *receives the former Lucchese Districts of Montignoso Minucciano Castiglione, and Gallicano, and the former Tuscan Districts of Fivizzano, Albiano Rico and Terrarossa & the Duchy of Guastalla.*

Stanford's Geogl. Estabt. 55. Charing Cross.

Modena was annexed to Sardinia 18th March 1860.
Tuscany & Lucca ... 20th March 1860.

MAP

LUCCA, TUSCANY
& MODENA.

No. 201.—*CONVENTION between Austria, Prussia, and Russia, uniting the Free City of Cracow to the Austrian Monarchy. Signed at Cracow, 6th November, 1846.**

(Translation as laid before Parliament.†)

The Lieutenant Field-Marshal Count Castiglione, President of the Provisional Government of the Free City of Cracow, in the name of the 3 Protecting Powers, Austria, Prussia, and Russia, causes it to be known, in the name and by the authority of those Powers, that they have concluded and signed at Vienna, the 6th of the present month, a Convention, of which the following is the tenor:—

The 3 Courts of Austria, Prussia, and Russia,

Considering, that the Conspiracy which in the month of February, 1846, produced the well-known events in the Grand Duchy of Posen, in Cracow, and in Gallicia, was organized in places at a distance from the Country in which it was supported by numerous accomplices;

Considering, that the criminal faction took up arms at the hour appointed, committed hostilities, and published proclamations exciting to general revolt;

Considering, that Cracow became the seat of a central authority calling itself the *Revolutionary Government*, and that the acts which emanated from that authority were intended to direct the insurrection;

Considering, that all these combined circumstances have constituted, on the part of the State of Cracow, a real State of War, which would have authorised the Courts of Austria, of Prussia, and of Russia, to avail themselves of all the rights given by War;

Considering, that on this ground alone they would have the right to dispose of a Territory which has taken an hostile attitude towards them;

Considering, that there is no question for the 3 Powers of

* The British Government protested against this Act, on the 23rd November, 1846; the French Government also protested against it on the 3rd December, 1846.

† For French version, see "State Papers," vol. xxxv, p. 1088.

causing the City of Cracow to submit to the Law of the Strongest, inasmuch as that law cannot be applicable where so great a disparity exists;

Considering, that there is, moreover, as little question of exercising towards Cracow an act of vengeance, or of inflicting a punishment; but that the High Protecting Powers desire only to restore order and peace to the Territory of Cracow, and that they have no other object but that of guarding their subjects against the recurrence of events which have so deeply compromised their tranquillity;

Considering, moreover, that by the Treaty concluded between them, the $\frac{21\text{st April,}}{3\text{rd May,}}$ 1815 (**No. 14**), the City of Cracow, with its Territory, was declared a Free and Independent and strictly Neutral City under the Protection of the 3 High Contracting Parties;

Considering, that by this Stipulation the 3 Courts were desirous of giving effect to the Article relating to the City of Cracow, in their respective Treaties concluded the $\frac{21\text{st April,}}{3\text{rd May,}}$ 1815 (**Nos. 12, 13, 14**), the one between His Majesty the Emperor of Austria and His Majesty the Emperor of All the Russias, the other concluded on the same date between His Majesty the Emperor of All the Russias and the King of Prussia;

Considering, that the existence of the Free City of Cracow, far from being in conformity with their intentions, has on the contrary been a source of disturbance and disorders, which during nearly 20 years not only compromised the peace and prosperity of this Free City, and the security of the adjoining Provinces, but, moreover, tended to overthrow the order of things established by the Treaties of 1815;

Considering, that numerous facts of this nature, the notoriety of which renders enumeration superfluous, have completely altered the nature of the existence of the Free City of Cracow; that by acts contrary to the tenor of Treaties, Cracow has on several occasions freed herself from the obligations which the condition of strict Neutrality imposed upon her; that these acts have on several occasions led to the Armed Intervention of the 3 Powers; that all the modifications introduced into the internal Constitution for the purpose of giving to its Government more power, have not sufficed to prevent the recurrence of these deplorable facts;

Considering, that the forbearance of the 3 Governments, shown by these benevolent arrangements, far from bearing fruit, have only served to promote the projects of the irreconcileable enemies of established order; that in becoming the centre of a new and vast conspiracy, the ramifications of which embrace all the Provinces formerly Polish, and in superadding to this culpable and disloyal project, an act of armed aggression, the Free City of Cracow has become the point of which the spirit of revolution availed itself in order to sap the internal tranquillity of adjoining States;

Considering, that the City of Cracow has proved that it was a political body evidently too weak to resist the unceasing machinations of the Polish Emigration, who held it morally subjected; that accordingly that City no longer presents any guarantee to the Powers against the recurrence of attempts already repeated at various times;

Considering, that attempts of this nature are a manifest infraction of the Treaty of 1815, as well as of Article II of the Constituent Statute of the Free City of Cracow of the 30th of May, 1833;

Considering, that the stipulations relative to Cracow resolved upon by the 3 Courts have only been repeated in Articles VI, VII, VIII, IX, and X of the General Act of the Congress of Vienna, of the 9th of June, 1815 (**No. 27**), for the purpose of including in that Act the several results of their individual negotiations;

Considering, that the 3 Courts, in now changing a state of things which had spontaneously been created by them in 1815, with regard to Cracow, only re-enter into the exercise of an incontestable right;

Considering all these reasons, and taking finally into mature consideration the care which the security of their States, so often compromised by the Free City of Cracow, so imperiously demands;

Have agreed upon the following resolutions:—

1. The 3 Courts of Austria, Prussia, and Russia, revoke the Articles relative to the City of Cracow, of the Treaties which they respectively concluded, the one between His Majesty the Emperor of Austria, and His Majesty the Emperor of All the Russias, and His Majesty the King of Prussia, signed by them

the $\frac{\text{21st April,}}{\text{3rd May,}}$ 1815 (**No. 13**), as well as the Additional Treaty between Austria, Prussia, and Russia of the same date (**No. 14**).

2. In consequence of this resolution, the City of Cracow and its Territory shall be restored to the Court of Austria for the purpose of being re-united to the Austrian Monarchy, and of being possessed by His Imperial and Royal Apostolic Majesty in the same manner as he possessed them before the year 1809.

Cracow, 6th November, 1846.

No. 202.—*AUSTRIAN DECLARATION relative to the Annexation of Cracow to Austria. Signed at Vienna, 11th November*, 1846.

(Translation as laid before Parliament.*)

We, Ferdinand I, by the Grace of God, Emperor of Austria, &c.

The City of Cracow and the adjacent Territory having been separated from our Empire and incorporated in the Duchy of Warsaw by the Peace concluded at Vienna, the 14th October, 1809,† having subsequently, in consequence of the events of the War of 1812, been conquered by the Imperial troops of Russia, our predecessor, the late Francis I, of glorious memory, and the two Allied Courts of Prussia and Russia, covenanted by common consent, in the Treaty of the $\frac{21\text{st April}}{3\text{rd May}}$, 1815 (**No. 13**), that Cracow, together with the Territory assigned to it, should for the future form a Free and Independent City under the Protection of the 3 Powers. This arrangement was, however, only adopted upon the express condition, and upon the necessary supposition of the strict Neutrality of the said Free City, and was likewise coupled with the obligation not to give asylum nor domicile to any Refugees subjects of the 3 Protecting Powers, but to surrender them immediately to the competent authorities.

The sad experience of 16 years has, however, proved that Cracow has not fulfilled the conditions of its independent existence; that, on the contrary, since 1830 that State has served unceasingly as a centre for hostile intrigues directed against the 3 Protecting Powers, until, finally, in the month of February of the present year, it became the theatre of more violent and more dangerous events than ever. The Government and the legitimate Constitution of Cracow were overthrown; the fate of the City was delivered into the hands of a certain number of conspirators, who styled themselves the Revolutionary Government of Poland, and who called upon the inhabitants of all parts of ancient Poland to take arms and to revolt against the existing Governments; finally, an armed band dared to make an irruption from the territory of Cracow into our own States.

* For French version see "State Papers," vol. xxxiii, p. 1042.

† See Appendix.

It became necessary once more to occupy Cracow by the troops of the Protecting Powers, and to subject that State to a Provisional Government subordinate to our Military Authorities.

Seeing ourselves deprived by these events of the possibility of re-establishing the bases of liberty and Independence of Cracow, which had been destroyed by the enemies of tranquillity and order in Europe, and deeply conscious of the duty to protect, not only our own faithful subjects of Gallicia, but likewise the respectable and peaceable portion of the population of Cracow itself, against the aggressions and machinations of this same destructive party, we have, in concert with His Majesty the King of Prussia, and with His Majesty the Emperor of Russia, taken into serious consideration the future fate of Cracow; and with this view we have caused Conferences to be held with the Plenipotentiaries of the Courts of Berlin and of St. Petersburgh.

It is in consequence of these deliberations that the 3 Protecting Powers of the City of Cracow have concluded, under date of the 6th of November of the present year (**No. 201**), an arrangement, by virtue of which they revoke and annul the Treaties concluded on the 3rd of May 1815 (**Nos. 12, 13, 14**), with respect to the said City, and by which that City with its Territory, returns afresh under our domination, in the same manner as our august predecessor of glorious memory possessed it before the Peace of Vienna of the 14th of October, 1809.*

We accordingly, by these presents, take possession of the City of Cracow and of its Territory, such as it has existed up to the present time, unite it to our Crown, and declare it to form an integral portion of our Empire, in which we incorporate it henceforth.

We name, as our Commissioner to carry into effect this taking possession, the Count Maurice de Deym, our Chamberlain, Councillor of Government, and Captain of our City of Prague; and we call earnestly upon all the inhabitants of the City of Cracow and of its Territory, in their own interest, to obey without resistance our Imperial Commissioner, as well as the authorities already acknowledged by us as established, or who shall be so at a later period, and to conform exactly to any regulations made or to be made on our part.

We promise them, in return, to maintain and to protect our holy religion; to administer justice impartially; to apportion,

* See Appendix.

according to the laws of equity, the public burdens; finally, to watch strictly over the maintenance of general security. All those who, by a prompt submission to the present measure, which has for its object their own well-being only, and by their fidelity and attachment to our House, shall render themselves worthy of our favour, shall always find in us a paternal Sovereign and a clement Emperor; and we shall exert ourselves to the utmost to cause them to participate in the benefits which the annexation to a great and powerful Monarchy can procure for the inhabitants of Cracow.

Done at our Imperial residence of Vienna, the 11th of November, in the year of Grace, 1846, and of our reign the twelfth.

FERDINAND $\frac{m}{p}$.

[See British and French Protests against this Annexation, dated 23rd November and 3rd December, 1846.]

No. 203.—*BRITISH PROTEST against the Incorporation of the Free City of Cracow, in the Dominions of the Emperor of Austria. London, 23rd November*, 1846.

*Viscount Palmerston to Viscount Ponsonby.**

My Lord, *Foreign Office, 23rd November*, 1846.

Count Dietrichstein, the Chevalier Bunsen, and Baron Brunnow, have communicated to me identic despatches from their respective Governments, with a Memorandum inclosed in each, announcing to Her Majesty's Government the intention of the Governments of Austria, Russia, and Prussia, to put an end to the independent existence of the Free State of Cracow, and to incorporate the City and its Territory in the Dominions of the Emperor of Austria. The grounds upon which this intention is rested, are the allegation that the Free State of Cracow was created and constituted in May, 1815, by the Triple Treaty (**No. 14**) between Austria, Russia, and Prussia; that those 3 Powers alone, having been its creators, they are competent, by their own authority, to put an end to its existence; that they now feel themselves justified in doing so, because the Free State has for a long course of years failed in its duty towards the Protecting Powers; that during the Polish Insurrection in 1830, Cracow gave aid to the insurrectionary forces in the Kingdom of Poland, and harboured a great number of refugees from thence when the Insurrection was put down; that from that time to the present it has been the centre of political intrigues, tending to disturb the tranquillity of the 3 adjoining States; that recently its population actually invaded the Province of Gallicia and plundered the treasury of the Salt Mines of Wieliczka, and that its Government, having been dissolved by internal dissensions, the question now for the 3 Protecting Powers to decide,

* Instructions of the same tenor were addressed by Viscount Palmerston on the same day to Her Majesty's Ministers at Berlin and St. Petersburgh. The following passage also occurred in the Queen's Speech to Parliament on the 19th January, 1847: "The Extinction of the Free State of Cracow has appeared to me to be so manifest a violation of the Treaty of Vienna, that I have commanded that a Protest against that act should be delivered to the Courts of Vienna, Prussia, and Russia, which were parties to it."

has become, whether they should reconstruct a non-existing Government, or entirely alter the condition of existence of Cracow and its Territory; and they say that they have preferred the latter course, and have determined that Cracow shall revert to Austria, to which Power it belonged before 1809, and that it shall henceforward form a part of the Austrian Dominions.

Her Majesty's Government have received this communication with deep regret and with much surprise. The communications which of late have been had with the Representatives of the 3 Powers at this Court had led Her Majesty's Government to expect that some proposal would be made by the 3 Powers for some modification of the Political Condition in which the Treaty of Vienna has placed the Free State of Cracow, with a view the better to secure the Territories of the 3 Powers from risk of disturbance by plots which might be formed in Cracow; but Her Majesty's Government were not prepared for such a communication as that which they have now received; and Her Majesty's Government feel themselves bound to Protest against the execution of the intention which has thus been announced.

Her Majesty's Government will first consider the grounds upon which the proposed measure is sought to be justified, and secondly, the right which the 3 Powers claim to themselves to carry it into execution of their own authority.

After the events of 1830 and 1836, it is to be remarked that the 3 Powers had recourse to measures which they thought sufficient for the security of their respective Dominions, and those events can scarcely be quoted now as affording grounds for fresh measures of severity against Cracow; and with respect to the inroad made by the people of Cracow into the Gallician Territory about a twelvemonth ago, and the alleged dissolution of the Government of Cracow by its own act, Her Majesty's Government would observe, that if General Collin, who was invited into Cracow by the Government of that State for the maintenance of order, had not suddenly withdrawn his troops, it is probable that no inroad would have been made by the people of Cracow into Gallicia; and as that General carried away with him all the constituted authorities of the City, and left the City and State in a condition of administrative anarchy, it can hardly be said that the dissolution of the Government was the act of the people of Cracow themselves.

But it is alleged that Cracow has long been, and if it remains Independent, will still continue to be the centre of intrigues, having for their object the disturbance of the tranquillity of adjoining Territories; and the question is, in what degree the present Political Condition of Cracow affords facilities for the carrying on of such practices?

Now, such intrigues and plots must be carried on either by strangers coming to Cracow, or by the native inhabitants themselves.

But no stranger can reach Cracow except by traversing a vast extent of Territory belonging to one or other of the 3 Powers; and it is difficult to imagine that any Polish exile, or any conspirator from any foreign country, could so far elude the vigilance of the police of the Power whose Territory he would have to pass through, as to be able to penetrate to Cracow.

The population of Cracow is not large in number, and not only would the arrival of a suspicious stranger among them be quickly known to the Police, but it would be scarcely possible for such stranger, or for any resident inhabitant of the State, long to carry on a correspondence with the people of neighbouring districts, for the purpose of exciting disturbances therein, without such correspondence coming to the knowledge of the Government, and through them to that of the 3 Residents; and such practices being once known, the laws of Cracow would surely afford means to put a stop to them effectually. But if the police regulations of Cracow are not efficient enough to secure the obtaining of such information; and if the laws of Cracow do not give the Government power to prevent such an abuse of the shelter of the Free State, those police regulations might be improved and those laws might be altered; and full security might in these respects be obtained for the 3 Powers without destroying the existence of the State.

It is no doubt the duty of Cracow to give the 3 Powers such security; for freedom and independence were given to Cracow for the well-being and happiness of its own people; and not in order to enable that people to create disturbances and confusion in adjoining countries.

It appears, then, to Her Majesty's Government that no sufficient proof has yet been given to show that full security might not be afforded to the internal tranquillity of the Territories of

the 3 Powers, without destroying the Separate and Independent existence of the State of Cracow.

But Her Majesty's Government must at all events deny the competency of the 3 Powers to decide upon and to execute such a measure, of their own separate authority, and without the concurrence of the other Powers who were parties to the Treaty of Vienna of June, 1815 (**No. 27**).

There is no doubt that the erection of Cracow and its Territory into a Free and Independent State, together with many of the details of its organisation, are matters which were first recorded by the Treaty of the 3rd of May, 1815 (**No. 14**). But that Treaty merely recorded one part of the various arrangements made by the General Congress of Vienna (**No. 27**); and it was by Article CXVIII of the General Treaty declared to be an integral part of the arrangements of the Congress of the European Powers, and to have everywhere the same force and value as if it had been inserted word for word in the General Treaty.

But besides this the leading stipulations about Cracow which are contained in the Separate Treaty of the 3rd of May (**No. 14**), concluded between the 3 Powers, are inserted word for word in the General Treaty to which all the Powers are parties, and those stipulations constitute the Articles VI, VII, VIII, IX, X, of that General Treaty.

It is demonstrable, therefore, that with whomsoever may have originated the plan of erecting Cracow and its Territory into a Free and Independent State, that plan was carried into effect by stipulations to which all the Powers were equally parties; and consequently it is not competent for 3 of those Powers by their own separate authority to undo that which was established by the common engagements of the whole; and it is manifest that the special duty which the 3 Powers undertook, of protecting the Independence of the State, cannot invest them with any right to overthrow that Independence and to destroy it.

For these reasons Her Majesty's Government are of opinion that the execution of the intentions which the 3 Powers have announced, would be a measure justified by no adequate necessity, and would involve a violation of positive stipulations contained in the General Treaty of Vienna (**No. 27**); and Her Majesty's Government deeply impressed with the conviction that it is above all things important that the engagements of Treaties should at all times be faithfully observed, most earnestly hope

that means may be devised for guarding the Territories of the 3 Powers against the dangers adverted to in their identic communications, without any breach of the Treaty of 1815 (No. 14).

Your Excellency will read this despatch to Prince Metternich, and you will send him officially a copy of it.

I am, &c.,
PALMERSTON.

No. 204.—*FRENCH PROTEST against the Suppression of the Republic of Cracow.—Paris, 3rd December*, 1846.

(Translation as laid before Parliament.*)

M. le Comte, *Paris, 3rd December*, 1846.

THE Chargé d'Affaires of Austria came to me on the 18th of last month, for the purpose of communicating despatches from Prince Metternich, dated the 6th, announcing to the King's Government that the incorporation of the City and Territory of Cracow with the Austrian Empire had been resolved upon by the Courts of Vienna, Berlin, and St. Petersburgh, and explaining the motives of their determination. I send you herewith a copy of the same. The Minister of Prussia and the Chargé d'Affaires of Russia made on the 20th an exactly similar communication to me. I have submitted the same to the King in Council. It has occasioned a profound and painful surprise to the King's Government. We had received in February and March last, as well as in 1836 and in 1838, the assurance that the occupation of Cracow by the troops of the 3 Powers was a purely military and not a political measure, enjoined by necessity, and which would cease with such necessity. It is now said that a temporary occupation does not suffice, and that the measure which has been adopted by the 3 Courts is indispensible for the purpose of definitively guaranteeing within their States the order and tranquillity which had unceasingly been disturbed by conspiracies and insurrections, of which Cracow had become the permanent focus. But in order that the suppression of the small State of Cracow should really put an end to these disturbances, it must be shown that its independent existence was the only or at least the principal cause of those disturbances. This supposition cannot be admitted. The ferment of the ancient Polish provinces, so often revived, arises from a more general and a more potent cause. It is that the scattered members of a great State, violently destroyed, still agitate themselves and still rise up. The Treaties which sanction such deeds do not all at once cause the anguish and the social wounds which thence result to disappear. Time, justice, constantly active kindness, prolonged good government, can alone

* For French version, see "State Papers," vol. xxxv, p. 1093.

accomplish this, for these are the only means which the civilization of Europe in these days renders possible and practical. Thus thought the Sovereigns and the Statesmen who were assembled at the Congress of Vienna. They wished, at the very moment when United Europe afforded its sanction to the division of Poland, to give to the Polish Nation and to the conscience of Europe, disturbed by this division, a certain moral satisfaction. They at the same time opened to their Polish subjects the prospect of the improvement of the institutions and of the internal government of the country. Serious disturbances may interrupt the course of this policy, at once wise and generous, but cannot cause it to be entirely abandoned and abolished. Nothing compromises power more than to declare itself unable to carry into effect, even slowly and in the course of time, its own promises and the hopes it has itself held out. The destruction of the small State of Cracow may deprive the spirit of conspiracy and of Polish Insurrection of some means of action, but it may also keep alive and even irritate the feelings which cause these deplorable attempts to arise and so perseveringly to recur. And at the same time it causes the influences which might prevent them to lose a great portion of their authority. It weakens everywhere in Europe, with respect to this painful question, the principle of order and conservatism, to the advancement of blind passions and violent designs.

The Article IX of the Treaty of Vienna (**No. 27**) imposed upon the Republic of Cracow the obligation of expelling disturbers from its territory, and the 3 Protecting Powers had without doubt the right to require that this obligation should be fulfilled. But was there no other means for attaining this object than to abolish the Independence of this little State, and even to suppress it. The narrow limits of the Republic, the immense force of the 3 Great Powers in whose States it is inclosed, the rights of protection conferred on those same Powers by Article VI of the Treaty, all lead to the conclusion, that measures framed with care, and vigilantly watched over in their execution, would have sufficed effectually to counteract the evil, without adopting those extreme measures which, while they suppress some dangers, frequently create others, and often much more serious ones.

It was at all events the incontestible right of all the Powers that were parties to the Treaty of Vienna, to take a part in the deliberations and the decisions of which the Republic of Cracow

might be the object. Prince Metternich states in his despatch of the 6th of November, that the 3 Courts had created of themselves, on the 3rd of May, 1815 (**No. 14**), the small State of Cracow, and that they had subsequently presented to the Congress of Vienna for registration the Convention concluded between themselves. The Government of the King is unable to admit an assertion so foreign to the principles and even to the language of the great transactions which constitute the public law of Europe. Independent Powers who negotiate on a footing of perfect equality, and deliberate on common interests, are never called upon to register decisions and acts adopted without their participation. As regards Cracow and Poland reminiscences and public documents attest that prolonged uncertainties, lengthy discussions between the Representatives of all the Powers at the Congress of Vienna, preceded the conclusion of that Special Treaty of the 3rd of May (**No. 14**), which it is now said regulated the interests of the 3 Powers co-participators in the division of Poland, without any concurrence of the other Powers of Europe. The text even of the Treaty of Vienna shows that the fate of Poland was settled by a European deliberation. It is of Poland that that Treaty first treats, as of the most important of the general questions upon which it had to decide. Articles I, II, III, IV, and V define the portion which each of the co-participating Powers was to have of the Territory of the Grand Duchy of Warsaw. Articles VI, VII, VIII, and IX constitute the Republic of Cracow. There is not the slightest difference between these Articles and those which give to Prussia a portion of the dominions of the King of Saxony. The foundation of the Republic of Cracow is placed on the same line as the stipulations which formed other States, created Kingdoms, recognised the Free Cities of Germany, created the Germanic Confederation. Only two Articles of the General Treaty of the 9th of June (**No. 27**), Articles X and CXVIII, make mention of the Special Treaty concluded on the 3rd May between the 3 Powers (**No. 14**), and they declare that the arrangements contained in that Treaty shall have "the same force and value as if they had been textually inserted in the General Act." Most assuredly, these words, adopted and signed by all Europe, far from rendering the existence of the Republic of Cracow more precarious, were intended to give to it much stronger and more authentic guarantees.

The King's Government only exercises, therefore, a manifest

right, and at the same time performs an imperious duty, in protesting solemnly against the Suppression of the Republic of Cracow, an act positively at variance with the letter as well as with the meaning of the Treaty of Vienna of the 9th of June, 1815 (**No. 27**). After the long protracted and fearful agitation which shook Europe so profoundly, it was, by the respect for Treaties and for all the rights which they recognised, that the order of Europe has been established and maintains itself. No Power can free itself from those Treaties without at the same time freeing others. France has not given the example of such an attempt on the policy of conservatism and peace. France has not forgotten what painful sacrifices were imposed on her by the Treaties of 1815. She might rejoice at an act which would authorise her, by a just reciprocity, never henceforth to consult anything but a provident estimate of her own interests. And yet it is she who summons the Powers who derived from those Treaties the principal advantages, faithfully to observe them! It is she who, above all, is occupied with the maintenance of acquired rights and with the respect due to the Independence of States!

I direct you to communicate to Prince Metternich this despatch, and to give him a copy of the same.

Receive, &c.,
GUIZOT.

No. 205.—*PROTOCOL of Conference between Great Britain, France, Portugal and Spain, relative to Measures to be taken for the Pacification of Portugal. London, 21st May, 1847.*

(Translation as laid before Parliament.*)

Present:

The Plenipotentiaries of Spain; of France; of Great Britain; and of Portugal.

THE Plenipotentiaries of Spain, of France, of Great Britain, and of Portugal, having met in conference on the invitation of the Plenipotentiary of Portugal:

The Portuguese Plenipotentiary stated that he had learnt by advices which he had this day received from his Government, that the efforts made at Oporto by Colonel Wylde and the Marquis d'España, to put an end to the Civil War in Portugal, upon the conditions which those officers were authorised by the Queen of Portugal to make known to the Junta, had failed; and he added, that as the Queen of Portugal had offered those conditions in accordance with the advice of her Allies, he was now commanded by Her Most Faithful Majesty to renew the application which Her Most Faithful Majesty had previously made to those of Her Allies who had been parties to the Treaty of the 22nd April, 1834 (**No. 171**), for assistance to enable her to effect the Pacification of her Dominions.

The Baron Moncorvo further stated that the conditions which had thus been communicated to the Junta of Oporto by Her Most Faithful Majesty's authority, were:

1st. A full and general Amnesty for all political offences committed since the beginning of October last, and an immediate recall of all persons who, since that time, have been sent out of Portugal for political reasons.

2nd. An immediate revocation of all the Decrees which have been issued since the beginning of October last, and which infringe upon, or conflict with, the established Laws and Constitution of the Kingdom.

* For French Version see "State Papers," vol. xxxv, p. 1110.

3rd. A convocation of the Cortes so soon as the elections, which are to take place without delay, shall have been completed.

4th. The immediate appointment of an Administration composed of men not belonging to the party of the Cabrals, nor being members of the Oporto Junta.

The British Plenipotentiary confirmed the statement of Baron de Moncorvo, and said that the British Government had also received this morning from Colonel Wylde, despatches reporting the failure of the mission upon which he and the Marquis d'España had been employed, and the refusal of the Junta either to put an end to the Civil War upon the terms proposed to them by Her Most Faithful Majesty, or to consent even to a temporary suspension of arms.

The Plenipotentiaries of Spain, France, and Great Britain, having taken these matters into their serious consideration, and bearing in mind the deep interest which their respective Governments take in the welfare of the Kingdom of Portugal, and the anxious desire which those Governments feel, that the Civil War which now desolates that country should be brought to an end, upon conditions which should, on the one hand, be founded upon a due regard to the Dignity and Constitutional Rights of the Crown, and should, on the other hand, afford a just security for the Liberties of the People; and being moreover of opinion that the arrangements proposed by Her Most Faithful Majesty were well calculated to attain those ends, agree that a case has now presented itself, in which their respective Governments may, in full accordance with the principles by which they are guided, comply with the application for assistance addressed to them by the Queen of Portugal.

The Plenipotentiary of Portugal, after expressing the satisfaction with which he received this declaration on the part of the Plenipotentiaries of the 3 Powers, impressed upon them the urgent necessity that immediate measures should be taken to carry those declarations into effect, and represented that in the present state of affairs in Portugal, delay must lead to a renewal of bloodshed and an aggravation of the calamities by which Portugal is now afflicted.

Adverting to these circumstances, and sensible of the urgency of the case, the Plenipotentiaries of the 3 Powers agreed to yield to the request of the Portugese Plenipotentiary; and it was there-

fore determined by the Plenipotentiaries of the 4 Powers, that the assistance to be afforded to the Queen of Portugal should be given forthwith; and accordingly the Plenipotentiaries of Spain, France, and Great Britain engage that the Naval Forces of their respective Governments now stationed on the coast of Portugal shall immediately co-operate with the Naval Force of Her Most Faithful Majesty in any operations which the commanders of those combined forces may judge necessary or expedient for carrying into effect the objects of this Agreement; and the Plenipotentiary of Spain further engages that a body of Troops, the number of which shall be agreed upon between the Spanish and Portuguese Governments, shall enter Portugal for the purpose of co-operating with the Troops of Her Most Faithful Majesty; and that those Troops shall withdraw from the Portuguese Territory within two months after the time when they shall enter, or as soon as the objects for which they shall have entered shall have been accomplished.

The Plenipotentiaries of the 4 Powers undertake that orders, in conformity with the engagements of this Protocol, shall be sent forthwith to the Naval Officers of the respective Governments on the Coast of Portugal, and to the general officers commanding the Spanish troops on the Frontiers of Spain.

XAVIER DE ISTURIZ.
JARNAC.
PALMERSTON.
TORRE DE MONCORVO.

No. 206.—*TREATY between Lucca and Tuscany. Signed at Florence, 4th October*, 1847.*

TABLE.

ART.
1. Abdication of Duke of *Lucca* in favour of Grand Duke of *Tuscany*.
2. Retention of Titles of Duke and Prince of *Lucca*.
3. Acceptance of Cession by *Tuscany*. Appanage to Duke of *Lucca* until Reversion of Duchy of *Parma*.
4. Purchase of Furniture of Palaces by *Tuscany*.
5. Purchase of Horses, &c., belonging to Duke of *Tuscany*.
6. Possession of Allodial Estates by Duke of *Lucca*.
7. Pensions of Functionaries, &c., to be paid by *Tuscany*.
8. Cessions of Territories to be made by *Tuscany*.
9. Cession of *Fivizzano*, &c., to *Modena*.
10. Cession of *Pontremoli*, &c., to future Duke of *Parma*.
11. Annual Assignment to be made to Duke of *Lucca*.
12. Duration of Appanage to Duke of *Lucca*.
13. Revenues, &c., to pass to Grand Duke of *Tuscany*.
14. Recognition of the Public Debt and Private Debt due to Duke Charles Louis.
15. Communication of Treaty to *Austria*, *Modena*, and *Sardinia*.
16. Ratifications.

(Translation as laid before Parliament.†)

Abdication of Duke of Lucca in favour of Grand Duke of Tuscany.

ART. I. His Royal Highness the Infante Charles Louis of Bourbon, now Duke of Lucca, proceeds from this day, for himself and his family, with the concurrence and assent of the hereditary Prince Don Ferdinando, to abdicate the temporal Sovereignty of that State, so that the same may immediately pass by way of Cession of transference to His Imperial and Royal Highness the Grand Duke of Tuscany, to whom it would definitively devolve in the case contemplated by the Treaty of Vienna of the 9th June, 1815 (**No. 27**), and by that of Florence of the 28th November, 1844 (**No. 200**).

Retention of Titles of Duke and Prince of Lucca.

ART. II. Their Royal Highnesses shall nevertheless retain respectively and personally the Titles of Duke and Prince of Lucca, until the reversion of the Duchy of Parma shall pass to

* See Decree of 22nd March, 1860, for annexation of Tuscany to Sardinia.

† For French Version see "State Papers," vol. xxxvi, p. 1172.

His Royal Highness the Infante Charles Louis, or the hereditary Prince his son, by the event contemplated in the Act of the Congress of Vienna (**No. 27**), and in the Treaty of Paris of 10th June, 1817 (**No. 73**), or by any other event whatever which should previously bring about such reversion.

Acceptance of Cession by Tuscany. Appanage to Duke of Lucca until Reversion of Duchy of Parma.

ART. III. His Imperial and Royal Highness the Grand Duke of Tuscany accepts the Cession of transference made to him by anticipation of the Duchy of Lucca, and in return he obliges himself to make to His Royal Higness the Duke of Lucca an Appanage of 9,000 francesconi per mensem, tranferable to his Son if the death of the present Duke should precede the Reversion of the Duchy of Parma, it being always understood that in either case that charge will wholly cease whenever the Reversion of the said Duchy of Parma shall really take place.

ART. IV. *Purchase of Furniture of Palaces by Tuscany.*

ART. V. *Purchase of Horses, &c., belonging to Duke of Tuscany.*

ART. VI. *Possession of Allodial Estates by Duke of Lucca.*

ART. VII. *Pensions of Functionaries, &c., to be paid by Tuscany.*

Cessions of Territories to be made by Tuscany.

ART. VIII. His Imperial and Royal Highness the Grand Duke having been induced to conclude the present Treaty solely by a desire to procure the utmost advantage to the people of Lucca, and at the same time to comply with the request made to him spontaneously by His Royal Highness the Duke of Lucca, and in no way to increase even temporarily his Dominions beyond the Limit agreed to in the Treaties, intends, so far as appertains to him, to proceed on his part, so soon as he shall be in possession of the Duchy of Lucca, to the Cession of the Territories which should devolve to other Sovereignties, in full conformity with the stipulations of the Treaties of Vienna (**No. 27**) and Florence (**No. 200**); so much as is provided in this last Treaty relative to the Territories of Barga and Pietra Santa, remaining unaltered.

Cession of Fivizzano, &c., to Modena.

ART. IX. In conformity with the principle set forth in the

preceding Article, His Imperial and Royal Highness the Grand Duke cedes to His Royal Highness the Archduke Duke of Modena, without prejudice to any compensation which may be agreed to between His Highness and the Duke of Lucca, in whose free act this anticipated Cession originates, the Territory of Fivizzano, &c., which will form a portion of the Modenese State, according to the provisions of Article CII of the Treaty of Vienna (**No. 27**), and of the other Treaty of Florence (**No. 200**), several times quoted.

Cession of Pontremoli, &c., to future Duke of Parma.

ART. X. In like manner His Imperial and Royal Highness the Grand Duke intends to cede to His Royal Highness the Duke of Lucca and future Duke of Parma, the Territory of Pontremoli and the centres of the Province of Lunigiana, which will form part of the Duchy of Parma, in conformity with the Treaty of Florence of the 28th November, 1844 (**No. 200**), and in full execution thereof.

ARTS. XI to XVI. (See Table.)

Florence, the 4th day of October, 1847.

(L.S.) THOMAS WARD.
(L.S.) L. SERRISTORI.

[By an Edict, dated 5th October, 1847, the Duke of Lucca abdicated in favour of the Grand Duke of Tuscany.]

No. 207.—*DECLARATION of the King of Prussia, relative to the Neutrality of Neuchâtel and Valengin. Berlin, 19th November*, 1847.

(Translation as laid before Parliament.)

We, Frederick William IV, by the grace of God King of Prussia, Sovereign Prince of Neuchâtel and Valengin, &c., greeting.

After we have taken cognisance of the Resolution adopted in the sitting of the Legislative Assembly of the 29th of October of this year, pronouncing the Neutrality of the Cantons during the Civil War which has now broken out in Switzerland, and after we have been informed of the complete concurrence of the corporations, of the clergy, and of the most distinguished organs of the country, with this Resolution; we declare hereby that we entirely approve of the motives which have induced the Legislative Assembly to take this Resolution; that accordingly, in our capacity of Prince Sovereign, we of our accord Ratify and Confirm this Resolution, and accordingly declare our Principality of Neuchâtel and Valengin to be a Neutral and Inviolable Territory for the whole duration of the present Civil War, in the manner in which this Neutrality and this Inviolability have been understood and specified by the Legislative Assembly and the Council of State of Neuchâtel.

In witness whereof we have signed the present Declaration with our own hand, and affixed to it our Royal Seal.

Given at Berlin, the 19th day of November, in the year of Our Lord, 1847.

(L.S.) FREDERICK WILLIAM.

Werther.

No. 208.—*TERRITORIAL TREATY between Lucca and Tuscany. Signed at Florence, 9th December*, 1847.

ART. TABLE.

Preamble. Reference to Treaty of 4th October, 1847.
1. Sovereignty of *Tuscany* over *Pontremoli* and *Bagnone*.
2. Sovereignty of *Tuscany* over *Modenese Lunigiana*. Sovereignty of *Modena* over *Albiano, Calice, Rico*, and *Terrarossa*.
3. Application of Revenue of *Pontremoli* and *Bagnone*.
4. Sovereignty over *Pontremoli* and *Bagnone* to be made over to *Lucca* on Reversion of *Parma* and *Placentia* to *Lucca*.
5. Ratifications.

(Translation as laid before Parliament.)

Reference to Treaty of 4th October, 1847.

His Imperial and Royal Highness Leopold II, Grand Duke of Tuscany, urged by the unexpected occurrence of special circumstances, having manifested to His Royal Highness Charles Louis of Bourbon, Duke of Lucca, future Duke of Parma, the desire to continue to retain possession of the Townships of Pontremoli and Bagnone, until the period of the Reversion of the Duchy of Parma, notwithstanding the disposition of Articles VIII and X of the Treaty concluded in Florence the 4th October of the present year (**No. 206**);

And His Royal Highness the Duke of Lucca, future Duke of Parma, having determined to accede to this desire, for the aforesaid reasons, have for this purpose named for their Plenipotentiaries; that is to say:

His Royal Highness Charles Louis Bourbon, Duke of Lucca, future Duke of Parma, the Baron Ward, Councillor of State, &c.;

His Imperial and Royal Highness the Grand Duke of Tuscany, Count Louis Serristori, Major-General, his Councillor of State, Finances, and War, Minister for Foreign Affairs, Director of the Department of War, &c.;

Who, after having communicated to each other their abovementioned Full Powers, found in good and due form, have agreed to the following Articles:

Sovereignty of Tuscany over Pontremoli and Bagnone.

ART. I. The Townships of Pontremoli and of Bagnone will continue to be possessed in full Sovereignty by His Imperial and Royal Highness the Grand Duke of Tuscany, until the period when His Royal Highness the Duke of Lucca and his successors shall enter into possession of the Duchies of Parma and Placentia, notwithstanding the disposition of Articles VIII and X of the Treaty of Florence of the 4th October last (**No. 206**), which in this respect shall be considered as not having taken place.

Sovereignty of Tuscany over Modenese Lunigiana. Sovereignty of Modena over Albiano, Calice, Rico, and Terrarossa.

ART. II. The exchange of those portions of the Modenese Lunigiana which by the terms of the Treaty of Florence of the 28th November, 1844 (**No. 200**), are to be united to Pontremoli, instead of the Districts of the Tuscan Lunigiana, which are to pass over to the Duke of Modena, shall likewise immediately be proceeded with. In consequence, the Grand Duke of Tuscany will enter into possession of the said portions to be united to Pontremoli, and will hold them temporarily in full Sovereignty, as stated in the preceding Article. On the other hand he will consign to His Royal Highness the Duke of Modena, the Districts of Albiano, Calice, Rico, and Terrarossa, absolving the inhabitants thereof from their oath of allegiance and fidelity; the before-mentioned Duke of Modena having done on his part what appertained to him by the manifesto of the 9th of last October.

Application of Revenue of Pontremoli and Bagnone.

ART. III. His Royal Highness the Duke of Lucca desiring not to take advantage of any compensation he might have had a right to in relation to the net Revenue of the Territories of Pontremoli and Bagnone, during the whole duration of the present Convention, and wishing to give at once to the inhabitants of these Territories, and his future subjects, a proof of his affection towards them, he prays that His Imperial and Royal Highness the Grand Duke of Tuscany will apply, for the benefit of this population, any surplus that may accrue, the expenses of the administration being deducted.

Sovereignty over Pontremoli and Bagnone to be made over to Lucca on Reversion of Parma and Placentia.

ART. IV. At the time of the Reversion of the Duchies of Parma and Placentia to the Duke of Lucca or his successors, the Grand Duke of Tuscany will proceed without the least delay, to all the acts necessary to enable His Royal Highness the Duke of Lucca to enter into the full exercise of his rights of Sovereignty over the above-mentioned Townships of Pontremoli and Bagnone.

Ratifications.

ART. V. The present Convention shall be approved and ratified by His Royal Highness the Infante Duke of Lucca, future Duke of Parma, and by His Imperial and Royal Highness the Grand Duke of Tuscany, and the Ratifications of it shall be exchanged at Florence within the space of 6 days, computed from that of its being signed, and sooner, if possible.

In faith of which the Plenipotentiaries have each of them attached their Signatures, and have affixed thereto the Seals of their respective Arms.

Done at Florence, 9th December, 1847.

(L.S.) T. WARD.
(L.S.) L. SERRISTORI.

No. 209.—*BOUNDARY TREATY between Austria and Saxony. Signed at Dresden, 5th March,* 1848.

ART. TABLE.

1. The Boundary Line between the Kingdoms of *Bohemia* and *Saxony* to be hereafter as settled in this Treaty, and in the Separate Act A annexed hereto.
2. Where Rivers, Brooks, Ditches, or Roads divide the Countries the Boundary Line passes, as a rule, along the centre of them.
3. Treatment of Boundary Brooks arranged in Special Convention B annexed hereto.
4. Line of Boundary between Bohemian Saaz and the Saxon Erzgebirge, and between Bohemian Jungbunzlau and Saxon Ober-Lausitz Circles is described in the Annexes C and D. Boundary Line between Bohemian *Ellbogn* and *Leitmeritz* and Saxon *Voigtländ*, *Erzgebirge* and *Meissner* Circles not yet settled—the descriptions to be appended to this Treaty.
5. Map of the Boundary to be prepared.
6. Boundary Line to be kept clear and distinct.
7. Local authorities to maintain Boundary Marks.
8. The Emperor of *Austria* renounces his Claim to Sovereignty over the 4 *Rumburg* Districts, *Niederleutersdorf*, *Neuleutersdorf*, *Josephsdorf*, and *Neuwalde*, which are already in possession of the King of *Saxony*, as well as the enclave *Schirgiswalde*.
9. The formal transfer of these and other places to take place within 6 weeks.
10. Transfer of Public Documents.
11. Collection of Taxes.
12. Rights of Private Possessors.
13. Emigration and Immigration from one Country to the other.
14. Persons in Military Service.
15. Private rights of the Contracting Parties.
16. Ecclesiastical, Educational, Jurisdictional, and Political relations at *Ullersdorf*, *Weigsdorf*, *Neuminkwitz*, and *Dörfel*.
17. The same in the 4 *Rumburg* Districts.
18. Settlement of Private Disputes.
19. Ratifications.

A. SEPARATE ACT. Signed at Dresden, 5th March, 1848.

§§ 1 to 28. Boundary between the *Ellbogn* and the *Voigtländ* Circles.
29 to 35. Boundary between the *Ellbogn* and the *Erzgebirge* Circles.
36 to 56. Boundary between the *Saaz* and the *Erzgebirge* Circles.
57 to 62. Boundary between the *Leitmeritz* and the *Erzgebirge* Circles.
63 to 73. Boundary between the *Leitmeritz* and the *Meissner* Circles.
74 to 87. Boundary between the *Leitmeritz* Circle and *Ober-Lausitz*.
88 to 96. Boundary between the *Jungbunzlau* Circle and *Ober-Lausitz*.

[Boundaries.]

B. Convention for the treatment of Boundary Brooks between Bohemia and Saxony.

§ 1. Boundary Line in the middle of the Brooks.
2. Accidents and *corpora delictorum*.
3. Private Rights.
4. Fluvial Rights.
5. Private Disputes.
6. New Water-works.
7. Navigable Waters.
8. Cleansing.
9. Change of Course.
10. Islands.
11. New Water-ways.
12. Bridges and Gangways.
13. Ratifications.

(Translation.)

Whereas His Majesty the Emperor of Austria, King of Hungary and Bohemia, &c., and His Majesty the King of Saxony, have appointed Extraordinary Commissioners to digest into one general Act of State the previous Agreements relating to the Boundary relations of their two States, namely, His Majesty the Emperor of Austria, his Court Councillor William, Baron von Pflügl-Lissinez, and His Majesty the King of Saxony, his Privy Councillor Dr. Maximilian Günther; and these Commissioners have, in virtue of their Full Powers, agreed upon the following Articles:

Arts. I to XIX. (See Table.)

Dresden, 5th March, 1848.

BARON V. PFLUGL.
DR. M. GUNTHER.

A. *Separate Act. Signed at Dresden, 5th March*, 1848.

§§ 1 to 96. (See Table.)

Convention for the treatment of Boundary Brooks between Bohemia and Saxony.

§ 1 to 13. (See Table.)

Dresden, 12th October, 1848.

No. 210.—*DECREE of the King of Sardinia, relative to the Annexation of Mentone and Roccabruna to Sardinia. Turin, 18th September,* 1848.*

(Translation.)

Charles Albert, by the Grace of God, &c.

CONSIDERING the acts of the inhabitants of Mentone and Roccabruna of the 2nd March, 28th May, 26th and 30th June, of the present year; on the proposition of our Minister of the Interior, the Council of Ministers being heard, have ordered and order as follows:

Sole Article. The two towns of Mentone and Roccabruna shall be occupied without delay by our Government, to be provisionally governed in accordance with the Laws in force, until it shall hereafter have been decreed.

Turin, 18th September, 1848.

CHARLES ALBERT.

[Various important Political Events took place in Hungary, in the Lombardo-Venetian Kingdom, in Schleswig-Holstein, and in other parts of Europe, in this year; but as they led to no permanent change in the MAP OF EUROPE, it has not been thought necessary to allude to them in this work.]

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* By the Treaty between France and Sardinia of 2nd February, 1861, Mentone and Roccabruna were ceded to France.

No. 211.—*ACT between Russia and Turkey, relative to Moldavia and Wallachia. Signed at Balta-Liman, 1st May, 1849.**

ART. TABLE.

Preamble. Reference to Treaties of 7th October, 1826, and 14th September, 1829.

1. Election of Hospodars of *Moldavia* and *Wallachia* by the Sultan.
2. Alterations in Organic Statute of 1831.
3. Commissions of Revision of Organic Statute to be established at *Jassy* and *Bucharest*. Work of Commissioners to be sanctioned by Ottoman Government.
4. Occupation of the Country by Ottoman and Russian Troops.
5. Extraordinary Russian and Ottoman Commissioners to reside in Principalities.
6. Agreement to last 7 years.
7. Treaties, &c., respecting Principalities to remain in Force.

(Translation as laid before Parliament.)

Reference to Treaties of 7th October, 1826, *and* 14*th September*, 1829.

His Imperial Majesty the Most High and Most Mighty Emperor and Autocrat of All the Russias, and His Imperial Majesty the Most High and Most Mighty Emperor and Padishah of the Ottomans, animated by an equal solicitude for the well-being of the Principalities of Moldavia and of Wallachia, and faithful to the antecedent Engagements which secure to the said Principalities the privilege of a distinct administration and certain other local immunities, have recognised that in consequence of the commotions by which those Provinces, and more particularly Wallachia, have been agitated, it becomes necessary to adopt by common Agreement extraordinary and effectual measures for the protection of those immunities and privileges, either against revolutionary and anarchical convulsions, or against the abuses of power which paralysed the execution of the laws therein, and deprived the peaceable inhabitants of the benefits of the administration which the two Principalities ought to enjoy in virtue of the solemn Treaties concluded between Russia and the Sublime Porte (see **Nos. 131, 145**).

For this purpose we, the Undersigned, by order and by the express authorisation of His Majesty the Emperor of All the

* See also General Treaty of 30th March, 1856, and Convention of 19th August, 1858.

Russias, and His Highness Reshid Pasha, Grand Vizier, and His Excellency Aali Pasha, Minister for Foreign Affairs of the Sublime Ottoman Porte, by order and by the express authorisation of His Majesty the Sultan, after having duly communicated and concerted together, have agreed upon and concluded the following Articles:

Election of Hospodars of Moldavia and Wallachia by the Sultan.

ART. I. Considering the exceptional circumstances brought on by the recent events, the two Imperial Courts have agreed, that instead of following the mode established by the Regulation of 1831 for the election of the Hospodars of Moldavia and Wallachia, those high functionaries shall be nominated by His Majesty the Sultan according to a mode especially agreed upon for this occasion between the two Courts, with the view of confiding the administration of those Provinces to the candidates most worthy, and enjoying the best reputation among their fellow-countrymen. For this occasion likewise, the two Hospodars shall only be nominated for 7 years, the two Courts reserving to themselves, a year before the expiration of the term fixed for the present Agreement, to take into consideration the internal state of the Principalities, and the services which may have been rendered by the two Hospodars, in order, by mutual agreement, to consider of the further determinations to be taken.

Alterations in Organic Statute of 1831.

ART. II. The Organic Statute granted to the Principalities in 1831 shall remain in force, saving the alterations and modifications of which the necessity shall have been proved by experience, specifically in regard to the Ordinary and Extraordinary Assemblies of the Boyards. These Assemblies, in the form in which they have heretofore been composed and elected, having more than once given rise to deplorable conflicts, and even to acts of open insubordination, their convocation shall continue to be suspended, and the two Courts reserve to themselves to come to an understanding on the subject of their re-establishment on bases settled with all requisite deliberation, at the time when they shall judge that that measure can be carried into effect without inconvenience as regards the maintenance of public tranquillity in the two Principalities. The deliberative functions shall be provisionally entrusted to Councils or Divans, *ad hoc*, composed of the Boyards

who are the most notable and the most worthy of confidence, and of some members of the higher Clergy. The principal attributes of these Councils shall be the assessment of the Taxes, and the examination into the yearly Budget in the two Provinces.

Commissions of Revision of Organic Statute to be Established at Jassy and Bucharest.

ART. III. In order to proceed with all necessary deliberation to the organic improvements required by the actual state of the Principalities and the administrative abuses which have been introduced there, two Commissions of Revision shall be established, one at Jassy and the other at Bucharest, composed of the Boyards most commendable from their character and abilities, to whom shall be entrusted the task of revising the existing Regulations and of pointing out the modifications best calculated to confer upon the Administration of the Country the Regularity and Unity in which they have frequently been deficient.

Work of Commissioners to be sanctioned by Ottoman Government.

The work of these Commissioners shall be submitted with the shortest delay possible to the examination of the Ottoman Government, which, after having come to an understanding with the Court of Russia thereupon, and having thus proved their mutual approbation, shall grant to the said modifications its definitive sanction, which shall be published in the usual manner by a Hatti-sheriff of His Majesty the Sultan.

Occupation of the Country by Ottoman and Russian Troops.

ART. IV. The troubles which have so deeply disturbed the Principalities having demonstrated the necessity of affording to their Governments the support of a Military Force capable of promptly repressing every Insurrectional Movement, and of causing the established authorities to be respected, the two Imperial Courts have agreed to prolong the presence of a certain portion of the Russian and Ottoman Troops which at present occupy the country; and specifically, in order to preserve the Frontiers of Wallachia and of Moldavia from casualties from abroad, it has been determined to leave therein, for the time, from 25,000 to 35,000 men of each of the two Parties. After the tranquillity of the said Frontiers shall be re-established, there shall remain in the two Countries about 10,000 men on each side, until the com-

pletion of the work of the Organic Improvement and the Consolidation of the Internal Tranquillity of the two Provinces. Thereupon the troops of the two Powers shall completely evacuate the Principalities, but they shall still remain at hand to re-enter immediately, in case the occurrence of serious events in the Principalities should require that measure to be again adopted. Independently of that, provision shall be made for completing without delay the reorganisation of the Native Militia, so that by its discipline and efficiency it may afford a sufficient guarantee for the maintenance of legal order.

Extraordinary Russian and Ottoman Commissioners to Reside in Principalities.

ART. V. Pending the duration of the Occupation the two Courts shall continue to cause an Extraordinary Russian Commissioner and an Extraordinary Ottoman Commissioner to reside in the Principalities. These Special Agents will be commissioned to watch over the progress of affairs, and to offer in common to the Hospodars their advice and counsel whensoever they shall observe any serious abuses or any measure prejudicial to the tranquillity of the Country. The said Extraordinary Commissioners shall be furnished with identic instructions agreed upon between the two Courts, which shall prescribe to them their duties and the degree of interference which they will have to exercise in the affairs of the Principalities. The two Commissioners will likewise have to agree together upon the choice of the members of the Commissions of Revision to be established in the Principalities, as has been stated in Article III. They will give an account to the respective Courts of the work of those Commissions, adding thereto their own observations.

Agreement to last 7 Years.

ART. VI. The duration of the present Arrangement is fixed at 7 years, at the expiration of which the two Courts reserve to themselves to take into consideration the situation in which the Principalities may then be, and to determine upon the ulterior measures which they may judge most suitable and proper to insure for a long time hereafter the well-being and the tranquillity of those Provinces.

Treaties, &c., respecting Principalities to remain in force.

ART. VII. It is understood that by the present Instrument,

occasioned by exceptional circumstances, and concluded for a limited time, none of the stipulations existing between the two Courts in regard to the Principalities of Wallachia and Moldavia are set aside, and that all previous Treaties confirmed by the Separate Act of the Treaty of Adrianople (**No. 145**) retain their full force and effect.

The 7 preceding Articles having been agreed upon and concluded, our Signature and the Seal of our Arms have been affixed to the present Instrument, which is delivered to the Sublime Porte, in exchange for that delivered to us by His Highness the Grand Vizier and His Excellency the Minister for Foreign Affairs aforesaid.

Done at Balta-Liman, $\frac{\text{10th April}}{\text{1st May}}$, 1849 (and of the Hegira, the 8th Djemasi-ul-Akhir, 1265).

(L.S.) RESHID PASHA.
(L.S.) AALI PASHA.

(L.S.) VLADIMIR TITOFF,
Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Russia at the Sublime Ottoman Porte.

No. 212.—*TREATY between the Governments of Austria, Modena, and Parma, on the Free Navigation of the River Po. Signed at Milan, 3rd July, 1849.**

ART. TABLE.

Preamble.
1. Freedom of Navigation of the *Po* as far as *Adriatic Sea*. Free Navigation of *Streams* joining the *Po*.
2. Suppression of *Transit Dues* along the whole course of the *Po*. Exceptions.
3. Landing of Ships or Convoys. Places where Boats or Convoys must Land.
4. Prohibition of exclusive right of Navigation on the *Po*.
5. Appointment of Navigation Commissioners. Deliberations of Commission.
6. Attributes of Commission.
7. Superintendence of *Mills*, &c., as well of the *Bridges*, &c., by the Commission.
8. Powers of Commission.
9. Commission to appoint Subaltern Officers of Superintendence.
10. Fund for Payment of Expenses of Commission.
11. Navigation Dues.
12. Levy of Navigation Dues. Vessels not touching at Custom-houses to be Free of Navigation Dues.
13. Monthly Payments to be made by Custom-house Officers.
14. Mode of Levying Navigation Dues.
15. Preventive measures against Non-Payment of Duties.
16. Custom-house Registers.
17. Increase of Navigation Dues to be by common consent.
18. Division of Excess of Navigation Dues. Payment of Deficiency.
19. Prohibition to Exempt or Augment Dues.
20. Settlement of Disputes. Police Regulations.
21. Prevention of Smuggling.
22. Sanitary Regulations.
23. Service and Payment of Pilots.
24. Moneys, Weights, and Measures.

Additional Article.

Negotiations to be entered into with *Piedmont*.
Tariff of the Dues for Navigation on the *Po*.
Acts of Accession to the above.

* The Pope acceded to this Treaty on the 12th February, 1850.

(Translation as laid before Parliament.)

(Ratified with Ministerial Declaration, on the part of Austria, September 11th, 1849; on the part of Modena, August 25th, 1849; and on the part of Parma, September 15th, 1849.)

His Majesty the Emperor of Austria, King of Hungary, Bohemia, Gallicia, Lodomiria, Lombardy, Venice, &c.;

His Royal Highness the Archduke, Duke of Modena, &c.; and

His Royal Highness the Infante of Spain, Duke of Parma, &c.;

Having with full accord agreed, through their respective Governments, to promote, for the benefit of commerce, the Free Navigation of the Po, at present from the confluence of the Ticino to the Adriatic, and His Majesty reserving to himself to obtain assent accordingly from the Pontifical State also, have in the mean time determined as follows, but not to act upon the same until, when the above-mentioned assent shall be obtained, the present Convention may be published; and they have named their Plenipotentiaries, that is to say:

His Majesty the Emperor of Austria, Charles Louis Chevalier Bruck, his Minister of Commerce, &c.;

His Royal Highness the Archduke, Duke of Modena, Theodore Conte di Volo, his Chamberlain, Councillor in the Foreign Department, &c.; and

His Royal Highness the Infante, Duke of Parma, Thomas Baron Ward, Grand Cross of the Grand Ducal Order of Saint Joseph of Tuscany, &c.;

Who, having met in Milan, and having exhibited their Full Powers, found to be in good and due form, and having exchanged the same, they have stipulated and agreed to the following Articles:

Free Navigation of the Po as far as Adriatic Sea.

Art. I. The Navigation of the Po shall be free and exempt from all burden along the whole tract of the Territories of the States signing, as far as the Adriatic Sea, and it shall not be interdicted, nor shall impediments be interposed in any way to any person whatever, with reservation of the regulations which may be now or hereafter determined with the common consent of

those States, and always in the sense most favourable to the development of the commerce of all nations.

Free Navigation of Streams joining the Po.

In like manner the Navigation of the Streams joining the Po, below the mouth of the Ticino, shall also be free,

1st. If they are within the Limits of any of the Contracting States.

2nd. From the point where they leave the State in which they rise, as far as and including their confluence with the Po, in which course, if there should exist any simple Navigation Dues, these shall not be greater for foreigners than for natives.

Suppression of Transit Dues along the whole course of the Po.

ART. II. In accordance with this, all those Transit Dues which may have been hitherto levied in the whole course of the Po, by the High Contracting Parties, as well as every other right, should any exist, either of compulsory landing, and loading and unloading, or of any other kind or description whatever, shall cease from the day that the present Convention shall be published.

Exceptions.

The Suppression of the Dues hitherto levied on the Po does not, however, extend to the following expenses, viz.:

(*a.*) Those of Health Offices, or the Port Dues for those Vessels which come from or return to the Sea, according to existing regulations;

(*b.*) Dues for passing Bridges;

(*c.*) The expenses incurred in the Harbours and Docks on landing;

(*d.*) Expenses for Loading and Unloading, for Weights and Measures, and for Warehouse room.

But those charges shall be regulated by the Commission mentioned in Article V here following, drawn up regular Tariffs, and published; and no State shall be allowed to increase the same without consent of the other Contracting States.

Landing of Ships or Convoys.

ART. III. No Ship or other Convoy on the Po shall be compelled to land and stop in places other than those to which it is bound.

Places where Boats or Convoys must land.

Only on entering and leaving the principal extremities of this River, and three other places mentioned in Article XII following, every Boat or other Convoy shall be obliged to land, and in conformity with a Regulation relating thereto which must be left at the furthest Custom-houses, which also shall be particularly pointed out, shall declare her cargo, place of destination, and fulfilment of the provisions determined by that Regulation.

Prohibition of Exclusive Right of Navigation on the Po.

ART. IV. In conformity with Article I of this Convention, it shall not be permitted to any Association, and still less to single individuals, to exercise an Exclusive Right of Navigation on the Po.

Appointment of Navigation Commissioners.

ART. V. In order to watch over the course of the River with respect to its Navigation, and to direct the necessary works both for the continued improvement of the Stream of the said River, and for the maintenance of the Towing Paths, as well as to establish an authority which may serve as a direct means of communication between the States signing this Convention, upon all that regards its chief object, a suitable Commission shall be appointed, consisting of 4 Members and a President, who, as well as one of the Commissioners, shall be named by Austria, and the 3 other Commissioners, one by each State.

Deliberations of Commission.

The Deliberations of the said Commission shall be by the absolute majority of votes, and the locality of the same shall be determined hereafter in one of the towns of the Lombardo-Venetian Kingdom.

Attributes of Commission.

ART. VI. One of the Principal Attributes of this Commission shall be to meet periodically twice each year, viz., in spring and autumn, to examine the state of the River in respect to its Navigation and the development of the same, to determine the Works necessary for the coming year, and at a fit time to submit their proceedings to their respective Governments. This Commission

shall, moreover, superintend the Officers who levy the Duties, as far as relates to the Navigation Dues, as in Article X, taking cognizance of the suitable registers to be established, and anticipating or removing every abuse which might be introduced, to the detriment or hindrance of the ready passage of Vessels.

The Functions of the Members of the Commission shall be afterwards determined with proper Regulations.

Superintendence of Mills, Locks, Bridges, &c., by the Commission.

ART. VII. All Mills and Locks shall be placed under the especial Superintendence of this Commission; it shall determine their position in case of change, cause Signals to be set up proper to inform the Pilots in time of any eventual danger, and shall take all those measures and precautions which are calculated for the safety and greater development of Navigation, proceeding with a due regard to the Regulations in force in the different States, for the maintenance of Shores and Embankments, and to that effect, where necessary, it shall be in correspondence with the respective Governments. It shall also have the superintendence of the Bridges, Ports, Docks, and over everything, in fine, which concerns Navigation.

Powers of Commission.

ART. VIII. The Commission shall be empowered to act without restriction, according to the fundamental bases established in the present Convention, and within the limits of the amount of Navigation Dues as in Article X; and it shall be obliged to require the approval of the several Governments only in the case of extraordinary operations surpassing those limits.

Commission to appoint Subaltern Officers of Superintendence.

ART. IX. It shall be the care of the said Commission to establish a permanent Subaltern Body for Superintendence and Execution, and to determine the departments and duties of the same, choosing the persons proportionately among the subjects of the Contracting Sovereigns. For this purpose the respective Offices shall be entrusted in preference to the persons who have the Superintendence of the Shores and Embankments of the Po, with a proportionate remuneration for increased labour and responsibility.

Fund for Payment of Expenses of Commission.

ART. X. For the Expenses of this Commission and the persons depending on it, as also for the Expenses of the maintenance of the Towing Paths, and for the improvements to be introduced into the Navigation of the Po, a provision shall be made by a suitable Fund arising from Navigation Dues.

Navigation Dues.

ART. XI. These Navigation Dues shall be unconnected with the Tolls and Customs Dues of each several State for those goods and commodities which may be landed and consumed in the surrounding country, or taken to the interior, in relation to which the States are at liberty to make arrangements according to the Regulations established in them.

Levy of Navigation Dues.

ART. XII. The Navigation Dues shall be levied according to the Tonnage of the Ships or Boats with Cargoes, on the basis of the annexed Tariff, and without regard to the goods or commodities with which they may be laden. Ships and boats without cargoes pay only half. These Dues shall be taken all at once, giving a regular acknowledgment for every trip, in whatever direction, at the first Custom-house going upwards or downwards; and for internal navigation at 3 other intermediate Custom-houses, at equal distances, as far as possible, to be appointed by common consent.

Vessels not touching at Custom-houses to be Free of Navigation Dues.

The Navigation taking place between two Custom-houses, without touching either, is Free from Navigation Dues. For carrying these Regulations into effect, the Vessels proceeding from any of the confluent Rivers, and continuing their voyage on the Po, shall, so far as it concerns the Navigation on that River, be considered as having begun their voyage from the respective embouchures.

Monthly Payments to be made by Custom-house Officers.

ART. XIII. It shall be the duty of the Custom-house Officers to pay in monthly the produce of the Navigation Dues at the Central Treasury of the Commission, to be determined by a Regulation accordingly; and the Officials shall take oath that they will conscientiously observe the Rules and Regulations which shall be issued.

Mode of Levying Navigation Dues.

ART. XIV. The Levy of the Navigation Dues shall be executed in the manner most convenient to promote the despatch of Vessels, and at the same time to prevent any means of carriage being exempt from them; and for that purpose the precise spots where the Custom-houses are situated, at which the Dues are received, shall be pointed out by suitable notices or papers.

Preventive Measures against Non-Payment of Duties.

ART. XV. And in order to prevent any Vessel or Convoy from omitting the payment of the Duties, or from carrying on Illicit Trade, respective Superintendences shall be established with common consent: but always keeping in view that these precautions do not place any obstacle in the way of the development of Free Navigation.

Custom-house Registers.

ART. XVI. In the Custom-houses appointed to levy the Navigation Dues a special Register shall be kept, in which the weight of the goods simply shall be taken and the amount entered, and a certificate of the same delivered, which shall be an authority for the free passage of the Vessel on the Po, and particularly for leaving it.

The amount of Cargo shall be ascertained according to a suitable scale, which shall be fixed up in the respective Custom-houses.

Increase of Navigation Dues to be by Common Consent.

ART. XVII. The Navigation Dues shall not be increased unless by common agreement; and the Governments of the Contracting States, acting on the principle that their true interests consist in favouring commerce, and that the Duties on Navigation are exclusively intended to defray the expenses of maintaining and improving the course of the River, and to increase more and more the safety and facility of the Navigation, do formally bind themselves not to admit any increase of the above Duties, except for the most fair and urgent reasons, and, in general, not to burden the Navigation by any other Duties than those expressed and established in the present Convention.

Division of Excess of Navigation Dues. Payment of Deficiency.

ART. XVIII. If it should happen that the produce should not be exhausted by the expenses of superintendence, and of the maintenance and improvement of the course of the River for Navigation, the remainder shall be divided in proportion to the respective territorial extent along the shores, the accounts being regulated at the close of each year. The same shall be done in the event of any deficiency for the expenses which the Governments shall have sanctioned.

Prohibition to Exempt or Augment Dues.

ART. XIX. Neither the Commission nor any Custom-house Officer shall be allowed to give exemption from the Dues fixed, nor to augment them, whatever may be the nature, the origin, and the destination of the goods and merchandize, and without any respect to the party from whom they come, and to whom they are going, and by whose order the transport is effected.

Settlement of Disputes. Police Regulations.

ART. XX. All affairs in dispute relative to Navigation shall be decided by the Superintending Customs Officers, and in last appeal by the Commission. Affairs of Police, whether Correctional or Criminal, shall be under cognizance of the respective Judiciary Authorities of the district or commune where they occur, and they shall be proceeded with regularly according to existing laws.

Prevention of Smuggling.

ART. XXI. The care of preventing Smuggling on the banks of the Po, and in the interior of the adjoining countries, is entrusted to the several Governments, who shall, for that purpose, issue to their Customs Officers and Guards instructions in conformity with the spirit of the present Convention.

Sanitary Regulations.

ART. XXII. Every Ship or Vessel coming from the Sea which shall enter the Po, shall be subject to the Sanitary Regulations prescribed in the Austrian or Pontifical ports, at the mouth of the River, and shall not continue the voyage until the same be fulfilled, receiving a certificate of free pratique, which must be exhibited whenever required by competent authority.

Service and Payment of Pilots.

ART. XXIII. Matters relating to the Service and Payment allowed to Pilots shall be arranged by a Special Regulation, the preparation and publication of which shall be entrusted to the above-mentioned Commission.

Moneys, Weights, and Measures.

ART. XXIV. With respect to Moneys, Weights, and Measures, the Italian Decimal Metrical System shall be the rule observed.

ADDITIONAL ARTICLE.

Negotiations to be entered into with Piedmont.

IN order to extend still more the advantages to be derived to the Navigation of the Po from the present Convention, the Austrian Government undertakes to enter into suitable negotiations with Piedmont, on the basis of the principles laid down above.

Tariff of the Dues for Navigation on the Po.

Throughout its course between the two extreme Custom-houses, and beyond the same:

	Lira.
1st class ships, boats, and barges, of the tonnage of 1,000 quintals and upwards ..	12 0
2nd class ships, boats, and barges, of the tonnage of 500 to 1,000 quintals.....	6 0
3rd ditto ditto 200 to 500 ,, ...	3 0
4th ditto ditto under 200 ,, ...	1 30

Between the two extreme Custom-houses one-half the Duty shall be paid.

Ships, Barges, and Boats not loaded shall pay in every case one-half.

In testimony whereof the respective Plenipotentiaries have signed the present original in triplicate, and have affixed the Seal of their Arms thereto.

Milan, 3rd July, 1849.

(L.S.) DE BRUCK.
(L.S.) TEOD. DE VOL.
(L.S.) WARD.

No. 213.—*CONVENTION between Austria and Parma, respecting the Sovereignty over the Islands of the Po. Signed at Milan, 3rd July*, 1849.

TABLE.

Reference to Vienna Congress Treaty of 9th June, 1815; and to Conventions of 25th July, 1821, and 11th July, 1834.

Additional Article.

Sovereignty over Islands on the *Po* becoming attached to each other.

(Translation.)

Reference to Vienna Congress Treaty of 9th June, 1815; *and to Conventions of 25th July*, 1821, *and 11th July*, 1834.

His Majesty the Emperor of Austria, King of Hungary, Bohemia, &c., &c., and His Royal Highness the Infant of Spain, Duke of Parma, &c., inasmuch as by the Conventions of 25th July, 1821, and 11th July, 1834, the rules are established between Austria and the Duchy of Parma, which are to be observed for the transfer of the Islands of the Po from one to the other dominion, in consequence of fluvial variations by which an Island belonging to one State becomes attached to the Continent of the other State, as well as to who the new Islands shall belong, and this in modification of what was determined on the subject by Article XCV of the General Act of the Congress of Vienna (**No. 27**), but the case of the Union of two Islands belonging to different States, having been left out of consideration, and in order to supply that omission, have agreed as follows, and therefore appointed their Plenipotentiaries, that is to say:—

His Majesty the Emperor of Austria, Charles Lodowick di Bruck, his Minister of Commerce, &c., and His Royal Highness the Infant Duke of Parma, Thomas Baron Ward, his Chamberlain, &c., who, having met at Milan, and having produced and exchanged their Full Powers, found in good and due form, have agreed and stipulated as follows:

[Islands of the River Po.]

ADDITIONAL ARTICLE.

Sovereignty over Islands on the Po becoming attached to each other.

Two Islands shall be considered as firmly conjoined to each other when the earthing up of the Channel between reaches the level of the mean flood, so that in every greater elevation of the Po, the waters can there take a continuous course. In such case the high dominion of both the Islands shall pass to that one of the contiguous States to which the largest Island belongs.

The relative extent of the Islands shall be determined by the part which emerges from the ordinary waters of the Po, the level of which it is understood corresponds with the state of greater fulness or permanence of the River.

In faith whereof the respective Plenipotentiaries have signed the present in duplicate original, and thereto have affixed the Seal of their Arms.

Milan, 3rd July, 1849.

DI BRUCK.
WARD.

No. 214. — *PRELIMINARIES OF PEACE between Denmark and Prussia (concluded under British Mediation). Signed at Berlin, 10th July, 1849.**

ART. TABLE.

Preamble.
1. Separate Constitution for the Duchy of *Schleswig*.
2. Negotiations to be entered into for Organisation of Duchy of *Schleswig*.
3. *Holstein* and *Lauenburg* to form part of *Germanic Confederation*. Non-political Connection between *Holstein* and *Schleswig*.
3. Constitution for Duchy of *Holstein*.
4. Stipulations not to invalidate Succession Rights of *Denmark*. Negotiations to regulate Order of Succession in *Denmark*.
5. Guarantee of Duchy of *Schleswig* by Great Powers. Communication of Protocol to *Great Britain*.

(Translation as laid before Parliament.†)

THE Undersigned Plenipotentiaries, named respectively by His Majesty the King of Denmark and His Majesty the King of Prussia, for the purpose of settling the bases of a Definitive Peace, having for its object the removal of the Differences which have arisen between them as regards the relations of the Duchy of Schleswig, have, with the concurrence of the Earl of Westmorland, Minister of Her Britannic Majesty at Berlin, as representative of the Mediating Power, agreed upon the following preliminary Articles of Peace:

Separate Constitution for the Duchy of Schleswig.

ART. I. The Duchy of Schleswig shall have a Separate Constitution as regards its Legislature and Interior Administration, without being united to the Duchy of Holstein, and leaving intact the Political Union which attaches the Duchy of Schleswig to the Danish Crown.

Negotiations to be entered into for Organisation of Duchy of Schleswig.

ART. II. The Definitive Organisation of the Duchy of Schleswig which results from this basis, shall form the subject of ulte-

* See Treaty of Peace of 2nd July, 1850, and note, page 1108.
† For French version, see "State Papers," vol. xxxvii, p. 131.

rior negotiations in which the High Contracting Parties will invite Great Britain in her character as Mediating Power to take part.

Holstein and Lauenburg to form part of Germanic Confederation.

ART. III. The Duchies of Holstein and of Lauenburg shall continue to form a part of the Germanic Confederation.*

Non-Political Connection between Holstein and Schleswig.

The Definitive Arrangement of the position which these Duchies shall occupy in the above-named political body, by reason of the changes which shall be effected in the Constitution of Germany, is reserved for a future understanding between the Contracting Parties. One of the objects of this understanding shall be to maintain, as far as may be compatible with the principle recorded in Article I of the present Convention, and with the future position of the Duchy of Holstein as regards the other German States, the non-political connection of material interests which has subsisted between the Duchies of Holstein and Schleswig.†

Constitution for Duchy of Holstein.

His Majesty the King of Denmark, Duke of Holstein, will grant within the shortest possible time, a Representative Constitution to that Duchy.

Stipulations not to Invalidate Succession Rights of Denmark.

ART. IV. It is understood that the Stipulations contained in the preceding Articles shall in no manner prejudge the question of the Succession in the States united under the sceptre of His Danish Majesty, nor the eventual Rights of any one.

Negotiations to regulate Order of Succession in Denmark.

In order to obviate the complications which may result from the doubts raised as to the Order of Succession, His said Majesty

* Holstein was ceded to Prussia by the Treaty between Denmark and Prussia of 23rd August, 1866, see also Decree, 24th December, 1866; and Lauenburg was ceded to Austria and Prussia by the Treaty of 30th October, 1864; and Austria ceded her right of co-Sovereignty to Prussia by the Treaty of 14th August, 1865.

† See Treaties of 30th October, 1864, and 23rd August, 1866 (Article V).

shall immediately after the conclusion of the Definitive Peace, take the initiative in making proposals calculated to regulate this Order of Succession by common accord with the Great Powers.

Guarantee of Duchy of Schleswig by Great Powers.

ART. V. The High Contracting Parties agree to claim the Guarantee of the Great Powers for the strict execution of the Definitive Peace as regards the Duchy of Schleswig.

Communication of Protocol to Great Britain.

The present Protocol, signed in duplicate, shall receive the approval of His Majesty the King of Denmark and of His Majesty the King of Prussia, and the two copies thus respectively approved, shall be exchanged at Berlin within the space of 8 days, or sooner, if possible, to reckon from the day of the signature, after which communication of this Protocol shall be made by one and the other Party to Her Majesty the Queen of Great Britain.*

In witness whereof the Plenipotentiaries have signed this Protocol, and have thereunto affixed the Seals of their Arms.

Done at Berlin, 10th July, 1849.

(L.S.) REEDTZ.
(L.S.) SCHLEINITZ.

[A Convention of Armistice and Additional Articles between Denmark and Prussia, were signed on the same day.]

* Differences which had for some time existed between Denmark and the Germanic Confederation with reference to the Danish Duchies again arose in 1846, and continued till 1848. In April of that year, Hostilities ensued between Prussia and Denmark. On the 10th July, 1849, Preliminaries of Peace were signed at Berlin.

No. 215.—*TREATY OF PEACE between Austria and Sardinia. Signed at Milan, 6th August*, 1849.*

ART. TABLE.

Preamble.
1. Peace and Friendship.
2. Renewal of Treaties.
3. Limits of *Sardinia*. Reference to Vienna Congress Treaty of 9th June, 1815.
4. Renunciation to all Rights, &c., beyond the Limits mentioned. Right of Reversion of *Sardinia* over *Placentia* maintained.
5. *Modena* and *Parma* to be invited to accede to the Treaty.
6. Ratifications.

Separate and Additional Articles.

1. Indemnity to be paid by *Sardinia*.
2. Dates of Payment of Indemnity.
3. Evacuation of Sardinian Territory by *Austrian* Troops.
4. Line of Demarcation near the Town of *Pavia*.
5. A Commercial Treaty to be concluded between the High Contracting Parties.
6. Abrogation of Commercial Convention of 11th March, 1751, between *Sardinia* and *Lombardy*; and of the Decree of the Aulic Chamber of 1st May, 1846.
7. Ratifications.

(Translation.†)

In the Name of the Most Holy and Indivisible Trinity.

His Majesty the King of Sardinia, Cyprus, Jerusalem, &c.; His Majesty the Emperor of Austria, King of Hungary, Bohemia, Lombardy, Venice, &c., having equally at heart to put a stop to the calamities of War,‡ and to re-establish the ancient relations of friendship and good understanding which have existed between their respective States, have resolved to proceed without delay to the conclusion of a Definitive Treaty of Peace, and have in consequence appointed as their Plenipotentiaries, namely:

* See also Treaties of 10th December, 1859, and Treaty of 23rd August 1866, for the incorporation of the Lombardo-Venetian Kingdom with Italy.

† For French version, see "State Papers," vol. xxxviii, p. 1239.

‡ In March, 1848, Lombardy and Venice revolted against Austria. Charles Albert, King of Sardinia, joined the Lombardo-Venetians, and Hostilities ensued between Austria and Sardinia. An Armistice was concluded on the 9th August, 1848, which terminated on the 12th March, 1849, and on the 20th of the same month hostilities were resumed. An Armistice was again concluded between Austria and Sardinia at Novara, on the 26th March, 1849; and on the 6th August following Peace was concluded.

His Majesty the King of Sardinia, &c.; the Sieur Charles Berando Count de Pralormo, his Minister of State, &c.; the Sieur Joseph, Chevalier Dabormida, his General of Artillery, &c.; the Sieur Charles, Chevalier Boncompagni, President of the Court of Appeal; and

His Majesty the Emperor of Austria, &c.; the Sieur Charles Louis, Chevalier de Bruck, his Minister of Commerce and Public Works, &c.;

Who, after having communicated their Full Powers, found to be in good and due form, have agreed upon the following Articles:—

Peace and Friendship.

ART. I. There shall be from henceforth and for ever, Peace, Friendship, and good understanding between His Majesty the King of Sardinia and His Majesty the Emperor of Austria, their Heirs and Successors, their respective States and Subjects.

Renewal of Treaties.

ART. II. All Treaties and Conventions concluded between His Majesty the King of Sardinia and His Majesty the Emperor of Austria, which were in force on the 1st March, 1848, are fully renewed and confirmed, in so far as they are not altered by the present Treaty.

Limits of Sardinia. Reference to Vienna Congress Treaty of 9th June, 1815.

ART. III. The limits of the States of His Majesty the King of Sardinia on the side of the Po, and on the side of the Tessin, shall be such as they have been fixed by Paragraphs 3, 4, and 5 of Article LXXXV of the Final Act of the Congress of Vienna, of 9th June, 1815 (**No. 27**), that is to say, such as they existed previous to the beginning of the War in 1848.

Renunciation of all Rights, &c., beyond the Limits mentioned.

ART. IV. His Majesty the King of Sardinia, as well for himself as for his Heirs and Successors, renounces all Rights and Pretensions whatever over the Countries situated beyond the Limits mentioned in the above-mentioned paragraphs of the Act of 9th June, 1815 (**No. 27**).

Right of Reversion of Sardinia over Placentia maintained.

Nevertheless the right of Reversion of Sardinia over the

Duchy of Placentia is maintained in accordance with Treaty stipulations. **(Nos. 19, 73, 95.)**

*Modena and Parma to be invited to Accede to the Treaty.**

ART. V. His Royal Highness the Archduke, Duke of Modena, and His Royal Highness the Infant of Spain, Duke of Parma and Placentia, shall be invited to accede to this Treaty.

Ratifications.

ART. VI. This Treaty, as well as the Acts of Accession, shall be ratified, and the Ratifications thereof shall be exchanged within 14 days, or sooner if possible.

In witness whereof the Plenipotentiaries have signed, and sealed it with the Seal of their Arms.

Done at Milan, 6th August, 1849.

(L.S.) DE PRALORMO. (L.S.) DE BRUCK.
(L.S.) DABORMIDA.
(L.S.) BONCOMPAGNI.

SEPARATE AND ADDITIONAL ARTICLES.

ARTS. I to III. (See Table.)

Line of Demarcation near the Town of Pavia.

ART. IV. As there exists for many years past a difference between Sardinia and Austria with reference to the Line of Demarcation near the Town of Pavia, it is agreed that the Limit at that place shall be formed by the *Thalweg* of the Canal called Gravellone, and that a Bridge shall be constructed by common consent, and at the expense of both parties, on the said Canal, on which no Toll shall be levied.

ARTS. V to VII. (See Table.)

Done at Milan, 6th August, 1849.

(L.S.) DE PRALORMO. (L.S.) DE BRUCK.
(L.S.) DABORMIDA.
(L.S.) BONCOMPAGNI.

* Modena acceded to this Treaty on the 12th, and Parma on the 14th August, 1849.

No. 216.—*TREATY between Austria and Modena respecting the Navigation and the Regulation of Limits on the Po. Signed at Milan, 8th August,* 1849.

ART. TABLE.

1. Renunciation by *Modena* of Jurisdiction between *Brescello* and *Gualtieri*.
2. Cession by *Austria* to *Modena* of Commune of *Rolo* and part of Commune of *Gonzaga*.
3. Revenues and charges of ceded Territories to pass over with them.
4. The part of the *Po* running before the *Este* bank from *Brescello* to *Gualtieri*, to be subject to the stipulations applied to the part in front of the *Guastalla* bank which became *Este* Territory by Treaty of 28th November, 1844.
5. The Islands on the left of the Midstream (*Thalweg*) of the *Po* to remain or become Austrian, those on the right Modenese.
6. The same principle to be applied to new Islands and increments of land.
7. Islands and increments which become attached to the shore to belong to the party with whose Territory they unite.
8. Islands which become united to belong to the possessor of the larger one of them.
9. Course of the *Po* between the two Countries to be surveyed from time to time.
10. Revenues of Islands or increments passing from one Party to the other to pass with them.
11. Dykes and other hydraulic works only to be constructed by common consent.
12. Commission to be appointed to decide upon the respective Sovereignty of the Islands.
13. Another Commission to be appointed to decide upon any exchanges of Territory required to regulate the Boundary.
14. This Treaty not to take effect unless the Treaty for the free Navigation of the *Po* (of 3rd July, 1849*), shall come into operation with the adhesion of the Pontifical Government.
15. Ratifications.

(Translation.)

His Imperial Royal Apostolic Majesty Francis Joseph I, Emperor of Austria, King of Hungary, Bohemia, &c.;

His Royal Highness the Archduke of Austria, Duke of Modena, &c.;

Having come to the determination of undertaking the rectifi-

* The Pope acceded to the Treaty of 3rd July, 1849, on the 12th February, 1850.

cation of the Boundaries between the two respective States, in order thus to simplify the commercial relations of their subjects, especially with the view of being able to effectuate as soon as possible the free Navigation of the Po, for which they have already taken steps by an appropriate Convention, have resolved to proceed to the stipulation of the present Treaty. They have therefore appointed as their Plenipotentiaries:

His Majesty the Emperor of Austria, &c., Charles Lodowick de Bruck, his Minister of Commerce, &c.;

His Royal Highness the Archduke, Duke of Modena, &c., Count Theodore de Volo, his Chamberlain, &c.;

Who, after the exchange of their Full Powers, found in valid form, have agreed as follows:

Renunciation by Modena of Jurisdiction between Brescello and Gualtieri.

ART. I. In case that, when His Majesty the Emperor has obtained the adhesion of the Pontifical Government to the free Navigation of the Po, the Convention thereon, signed by the Austrian, Modenese, and Parmesan Plenipotentiaries, on the 3rd July, 1849 (**No. 212**), shall come into force, His Royal Highness the Duke of Modena renounces the Jurisdiction which he has hitherto exercised in front of the line between Brescello and Gualtieri up to the left bank of the Po, in virtue of ancient Treaties, of which Articles XCV and XCVIII of the Final Act of the Congress of Vienna (**No. 27**), have recognised the existence, and he admits the restriction that the line of demarcation of his States shall follow on that side the course of the River in the manner and with the conditions which will be stated hereafter.

Cession by Austria to Modena of Commune of Rolo and Part of Commune of Gonzaga.

ART. II. His Imperial Royal Apostolic Majesty, as a compensation for this renunciation of Jurisdiction, and also as an indemnification for the duties which belong to the Este finances, now the Imperial finances, for the transit of the Royal goods in the Waters considered as under Este Jurisdiction, and especially to arrive at the desired regularity of boundaries, gives in exchange to His Royal Highness the Duke of Modena, the high dominion, as well as any other right of Sovereignty and Jurisdiction over

the communal Territory of Rolo, and over the portion of that of Gonzaga which is comprised between the Tagliata and Parmesan Channels at the place of their confluence. In this manner, that tract of the Austro-Este Boundary, which formerly intersected the Tagliata Channel, will follow instead the midstream of that Channel from the said point of intersection to that of its confluence in the Parmesan Channel, and then ascend the midstream of the latter up to the extremity of the Territory of Rolo, where the Fossa di Raso and the great Channel have their confluence in the Parmesan by the Torrione della Maglia. After this the Boundary will continue in its present course along the Fossa di Raso and the Colatore Busatello, the whole as may be seen clearly laid down in the two Maps annexed to the present Treaty.

ARTS. III to XV. (See Table.)

Milan, 8th August, 1849.

(L.S.) DE BRUCK. (L.S.) THEODORE DI VOLO.

No. 217.—*TREATY between Prussia and the Reigning Princes of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, for the Cession of their respective Principalities to Prussia. Berlin, 7th December,* 1849.*

ART. TABLE.

Preamble.
1. Cession of *Hohenzollern-Hechingen* to *Prussia.*
2. Cession of *Hohenzollern-Sigmaringen* to *Prussia.*
3. Acceptance of Cessions by *Prussia.*
4. Transfer of all Rights and Revenues to *Prussia.*
5. All State Burthens and National Debts to be borne by *Prussia.*
6. Annuity to Prince of *Hohenzollern-Hechingen.* Annuity to Heirs of Prince of *Hohenzollern-Hechingen.*
7. Annuity to Prince of *Hohenzollern-Sigmaringen.* Annuity to pass by Inheritance.
8. Family and Entailed Property to remain in Possession of Princes of *Hohenzollern,* as well as Allodial Estates and Private Property.
9. Obligations of Reigning Princes until the day of Surrender.
10. Military Force of Principalities to pass over to *Prussia,* thereby satisfying Federal obligations. King of *Prussia* to assume all Responsibilities on day of Surrender.
11. Surrender of Principalities after Ratifications.
12. Retention of Rank and Privileges by Princes of *Hohenzollern.* Special Arrangement in case of their Settlement in *Prussia.*
13. Maintenance of Family Compact.
14. Inheritance to revert to *Prussia* in case of Failure of Male Line.
15. Claims of the House of *Hohenzollern* in case of the Extinction of the Male Line of *Prussian* House.
16. Declaration of Contents of Treaty to be made to *Germanic Confederation.*
17. Declarations of Accession to be annexed to Ratifications. Ratifications.

(Translation.)

His Serene Highness the Prince of Hohenzollern-Hechingen and His Serene Highness the Prince of Hohenzollern-Sigmaringen having, in consequence of the political events that have taken place in the South-west of Germany since the spring of 1848, and in consideration of the family relationship and of the compacts in respect to inheritance existing between the Royal Prussian House and the Princely House of Hohenzollern, according to which, in case of the extinction of all the lines of the Princes and Counts of Hohenzollern in the male line, the Succession in the Hohenzollern Principalities, Counties, and Lordships, is secured

* See also Prussian Decree of 12th March, 1850.

to the said Royal House, both, and respectively each for himself, unanimously resolved to Abdicate the Government of the said Principalities, with all their Rights of Sovereignty, of Government, and of eventual Succession to the same, in favour of the Crown of Prussia; and having accordingly repeatedly addressed propositions to that effect to His Majesty the King of Prussia, and His Majesty having, as well in consideration of the abovementioned Family Relationship and Compacts of Inheritance, as with a view to secure the mutual rights and interests connected therewith, declared his willingness to enter into these propositions, Plenipotentiaries have been named in order to conclude a Treaty thereon, namely, by His Majesty the King of Prussia:

His Actual Superior Privy Councillor of Regency, Von Raumer;

His Privy Councillor of Legation, von Bülow; and

His Privy Councillor of Finance, Stünzner.

By His Serene Highness the Prince of Hohenzollern-Hechingen and by His Serene Highness the Prince of Hohenzollern-Sigmaringen;

The Princely Hohenzollern-Hechingen, Privy Councillor of Court and Finance, Baron von Billing;

Who, in virtue of their Full Powers, mutually found to be valid, have agreed upon and settled the following Articles, with a reservation of Ratification:

Cession of Hohenzollern-Hechingen to Prussia.

ART. I. His Serene Highness the Reigning Prince of Hohenzollern-Hechingen cedes all rights of Sovereignty and Government over the whole of his Principality of Hohenzollern-Hechingen to its present extent, therefore inclusively of the rights of Sovereignty and Government over the Territory acquired in virtue of the *Recès* of the German Empire of 1803,* and subsequently, for himself, his heirs and successors, to His Majesty the King of Prussia.

Cession of Hohenzollern-Sigmaringen to Prussia.

ART. II. In like manner are ceded by His Serene Highness the Reigning Prince of Hohenzollern-Sigmaringen, all rights of Sovereignty and Government over the whole of his Principality of Sigmaringen to its present extent, therefore inclusively of the Territories acquired in virtue of the *Recès* of the German Empire

* See Appendix.

of 1803,* and subsequently for himself, his heirs and successors, to His Majesty the King of Prussia.

Acceptance of Cessions by Prussia.

ART. III. His Majesty the King of Prussia accepts the Cessions made in Articles I and II, and acquires in virtue of them the possession of the Principalities of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, with all the rights of Sovereignty and Government connected with them.

Transfer of all Rights and Revenues to Prussia.

ART. IV. That is to say, together with the said Principalities, all special Rights and Revenues, derived from the rights of Sovereignty and Government over them, such as Duties, direct and indirect Taxes, registration Fees and Stamp dues, which had been levied or were to be levied by the district, court, or national exchequers, to the day of the surrender of the Principalities to the Royal Prussian Government, State Archives and Papers, and State buildings, as well as the use, gratis, of all the buildings and localities of all kinds destined for the administration of the Country, are transferred to the Crown of Prussia.

All State Burthens and National Debts to be borne by Prussia.

ART. V. The Crown of Prussia takes upon itself from the day of the surrender to it of both the said Principalities, all the State Burthens and National Debts constitutionally connected therewith, and particularly the engagement to fulfil, according to the annexed estimates marked 1, 2, and 3, all the obligations entered into by their Serene Highnesses the Reigning Princes of Hohenzollern-Hechingen and Sigmaringen, towards their Court, and civil and military servants appointed by law; likewise to continue to pay, in virtue of the Pension Lists also hereto annexed, marked A and B, the Pensions and annual gratifications granted by their Serene Highnesses or their high predecessors in the Government. On the other hand, all the salaries, pensions, gratifications, and allowances of officers, servants, pensioners, &c., of the Principalities of Hohenzollern, not stated in these lists, remain to the charge of the respective Serene Princes.

* See Appendix.

Annuity to Prince of Hohenzollern-Hechingen.

ART. VI. His Majesty the King of Prussia will grant to His Serene Highness the Reigning Prince of Hohenzollern-Hechingen, in compensation for the Cession made by the above Articles I and IV, from the day of surrender of the Principality of Hohenzollern-Hechingen until the death of His Serene Highness, a fixed Annuity of 10,000 dollars in Prussian currency, which will be charged upon the general Prussian State Treasury.

Annuity to Heirs of Prince of Hohenzollern-Hechingen.

Should His Serene Higheness the Reigning Prince of Hohenzollern-Hechingen, after contracting a marriage conformable to his rank, be blessed with descendants, issue thereof, capable of succeeding, the half of the above-named annual compensation Annuity, 5,000 thalers, in Prussian currency, shall, after the death of His Serene Highness, fall to those Princely Heirs, and shall likewise be charged upon the general Prussian State Treasury.

Annuity to Prince of Hohenzollern-Sigmaringen.

ART. VII. In like manner His Majesty the King of Prussia will grant to His Serene Highness the Prince of Hohenzollern-Sigmaringen, in compensation for the Cession made by the above Articles II and IV, a fixed Annuity of 25,000 thalers in Prussian currency, from the day of the surrender of the Principality of Hohenzollern-Sigmaringen to the Crown of Prussia, which shall be charged upon the general Prussian State Treasury.

Annuity to pass by Inheritance.

This Annuity shall pass by inheritance at the decease of the illustrious possessor, according to the order of succession established in the family, to the chief, for the time being, of the Princely House of Hohenzollern-Sigmaringen.

Family and entailed Property to remain in possession of Princes of Hohenzollern, as well as Allodial Estates and private Property.

ART. VIII. All the Princely Hohenzollern Estates and Immovable Property situated in the Principalities of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, together with the forests, mines, manufactories, and available buildings,—with the exception of those reserved in Article IV for the administration

of the country,—tithes, rents, and dues, as the same are at present possessed by the Princely Houses of Hohenzollern, and are administered by their Exchequers,—are acknowledged on the part of Prussia to be real Princely Hohenzollern Family and Entailed Property, and shall remain, together with the revenues arising from them, the goods and other appurtenances thereof, in the possession of their Serene Hignesses the Reigning Princes, subject to the liabilities thereof, such as Appanages.

In like manner, their Serene Highnesses retain possession of the Allodial Estates, and other Private Property, belonging to them in the Principalities.

Obligations of Reigning Princes until the day of Surrender.

ART. IX. Until the day of the surrender of the Principalities to the Crown of Prussia, their Serene Highnesses the Reigning Princes shall retain the Sovereignty revenues belonging to them therein, whilst, on the other hand, they will have to bear all the State liabilities and expenses charged upon them. Respecting arrears of the like revenues and expenditure which may exist at the surrender of the Principalities, a special arrangement will be made.

Military force of Principalities to pass over to Prussia, thereby satisfying Federal obligations.

ART. X. When the existing force of the two Principalities, forming their contingents to the German Federal Army, shall, with its equipments and arms, have passed over to His Majesty the King of Prussia, on the surrender of the Principalities to him, His Majesty will unite it with the Prussian Contingent to the Federal Army, and it will not in future form separate contingents for the said Principalities; by this reinforcement of the Royal Prussian Contingent the Federal obligation of the Principalities to furnish proportionate contingents will henceforth be satisfied.

King of Prussia to assume all Responsibilities on day of Surrender.

His Majesty the King likewise assumes, from the day of the surrender of the two Principalities, as follows from Article V, all the obligations incumbent upon them to furnish matricular money contributions for general Federal purposes.

Surrender of Principalities after Ratifications.

ART. XI. The surrender of the Principalities of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, by their Serene Highnesses the Reigning Princes to His Majesty the King of Prussia, shall take place, if possible, immediately after the exchange of the Ratifications of the present Treaty, and if this exchange can be effected in time, on the 15th of January, 1850.

Retention of Rank and Privileges by Princes of Hohenzollern.

ART. XII. The two Princely Houses of Hohenzollern retain, notwithstanding the Cession of their Principalities, their former rank, and the privileges attached to it, within the Prussian dominions; there shall likewise be granted to them, and specially to their chiefs for the time being, in case of their settling at any time in the Prussian dominions, a privileged position, conformable to the affinity and to the other relations which they bear towards the Royal Prussian House, and above all other subjects of His Royal Majesty not belonging to the Royal House.

Special arrangement in case of their Settlement in Prussia.

The further details on this subject are reserved for a special arrangement, which, in the supposed case of the Settlement of their Serene Highnesses the Princes in the Prussian State Territory, will likewise have to extend to the privileges which may be granted to them in respect to judicial position, guardianship, &c.

Maintenance of Family Compact.

ART. XIII. The existing Family Compact of the Princes of Hohenzollern remains, in general and also in particular,—especially in so far as it contains provisions respecting Misalliances, and the necessity for the Agnatic consent in contracting debts on the Entailed Property of the Princely House,—in force, in such wise, that the provisions concerning the last-named subject shall be applicable, wholly and severally to the annuities mentioned in the above Articles VI and VII, as well as to every equivalent which may in future be substituted for the present Entailed Property of the Princely House of Hohenzollern.

Inheritance to revert to Prussia in case of failure of Male Line.

ART. XIV. If the male line of the Princes of Hohenzollern

should become extinct before the Male Line of the Royal Prussian House, then, according to the sense of the Compacts of the years 1695 and 1707, in respect to Inheritance, the compensation granted by Prussia for the present Territorial Cession, and which shall be possessed by the line of the said Princely House which is the last to become extinct in respect of its last illustrious chief, shall revert to the Royal Prussian Government.

Claims of the House of Hohenzollern in case of the Extinction of the Male Line of Prussian House.

ART. XV. The Claims which the Princely House of Hohenzollern might raise in consequence of the Compacts of the years 1695 and 1707, respecting Inheritance, in case of the Extinction of the Male Line of the Royal Prussian House, shall not be in any manner prejudiced by the present Treaty.

Declaration of Contents of Treaty to be made to Germanic Confederation.

ART. XVI. After the Ratification shall have taken place on both sides, the existing central authority for the Germanic Confederation shall be made acquainted with the contents of the present Treaty, by its communication, *in extenso*, in a Declaration to be made on the part of both their Serene Highnesses the Princes of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, with reference to Article VI of the Final Act of Vienna of the 15th of May, 1820 (**No. 104**), and this Declaration shall be confirmed on the part of the Royal Prussian Government.

Declarations of Accession to be Annexed to Ratifications.

ART. XVII. The present Treaty, after it has received the constitutional assent of both the Prussian Chambers, shall be ratified by His Majesty the King of Prussia, and by their Serene Highnesses the Reigning Princes of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, and the instruments of Ratification to be delivered by Prussia for this purpose shall likewise be signed by His Royal Highness the Prince of Prussia. To the two instruments of Ratification to be delivered on the part of the Princes of Hohenzollern shall be annexed in a similar, or in some other proper form, the Declaration of Accession of all the Agnates of their Serene Highnesses the above-mentioned Princes who are of

age; similar Declarations of Accession shall likewise be made by each of the other younger children of the Princely House of Hohenzollern on their attaining their majority, and shall be delivered to His Majesty the King of Prussia by the chief for the time being of the princely line concerned.

Ratifications.

The exchange of the Ratifications* shall take place within the next 4 weeks after the conclusion of the present State Treaty.

In witness whereof the Plenipotentiaries of both Parties have signed and sealed the present State Treaty.

Done at Berlin, 7th of December, 1849.

(L.S.) VON RAUMER. (L.S.) BARON VON BILLING.
(L.S.) VON BULOW. (L.S.) STUNZNER.

* Ratifications exchanged at Berlin, 20th February, 1850.

No. 218.—*ACT OF ACCESSION of His Holiness the Pope to the Treaty concluded, 3rd July,* 1849, *between Austria, Modena, and Parma, relative to the Free Navigation of the River Po. Signed at Portici, 12th February,* 1850.

(Translation as laid before Parliament.)

His Holiness having been amicably invited by His Majesty the Emperor of Austria to accede to the Treaty for the Free Navigation of the Po, concluded at Milan the 3rd July, 1849 (**No. 212**), between the Governments of Austria, Modena, and Parma, in anticipation of the adhesion of the Pontifical Government, and with the engagement taken by His Imperial Royal Apostolic Majesty to obtain the same, the tenor of which Treaty here copied word by word is as follows:

[Here follows the Convention of the 3rd July, 1849 (**No. 212**), upon the Free Navigation of the Po.]

And His Holiness, being exceedingly anxious to promote the interests of his subjects, whose trade and industry cannot but receive an increased development by means of the Free Navigation of the Po, has furnished his Pro-Secretary of State, Cardinal Giacomo Antonelli, with suitable Full Powers, an authenticated copy of which shall be here given, to execute such Accession in his name.

The undersigned Cardinal, therefore, declares that His Holiness, through the present Act of Accession, adheres to the said Treaty, formally engaging to fulfil, on his part, the obligations depending thereon.

This Act of Accession shall be ratified within the 3 months following the delivery of the Act of Acceptance; and previously to the expiration of the said period, the exchange of the Act of Ratification, of the Act of Accession, and of the corresponding Act of Acceptance, shall be effected.

In testimony whereof, we, the Plenipotentiary of His Holiness, in virtue of his Full Powers, saving always the rights of the Holy See, which have already been before reserved, have signed this present Act of Accession, affixing thereto the Seal of our Arms.

Done at Portici, 12th February, 1850.

(L.S.) G. CARD. ANTONELLI.

No. 219.—*DECREE of the King of Prussia, relative to the Incorporation of the Principalities of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen with the Prussian Dominions. Charlottenburg, 12th March,* 1850.*

(Translation.)

We, Frederick William, by the grace of God, King of Prussia, &c., with the consent of both Chambers, decree as follows:

§ 1. The Union of the Principalities of Hohenzollern-Hechingen and Hohenzollern-Sigmaringen with the Prussian State Territory is sanctioned in virtue of the Treaty of the 7th December, 1849 (**No. 217**).

§ 2. The Ministry of State is charged with the execution of this Law.

Witness our Royal autograph, signature, and seal hereto affixed.

Given at Charlottenburg, the 12th March, 1850.

(L.S.) FREDERICK WILLIAM.

Count von Brandenburg.
Von Ladenberg.
Von Manteuffel.
Von der Heydt.
Von Rabe.
Simons.
Von Schleinitz.
Von Stockhausen.

* A Prussian Proclamation was issued on the same day; and the Prince of Hohenzollern-Sigmaringen resigned his Rights of Sovereignty by a Proclamation dated 6th April, 1850.

No. 220.—*TREATY between Prussia and the Principality of Lippe, for the Cession of the Co-Sovereignty over Lippstadt to Prussia. Signed at Berlin, May* 17, 1850.

ART. TABLE.

1. Cession of *Lippstadt* to *Prussia*.
2. Acceptance of Cession by *Prussia*.
3. Compensation to Prince of *Lippe* for Sovereign Right of Taxation. Right of *Prussia* to redeem and Capitalise Compensation for Taxation.
4. Annual Payment to be made by *Prussia* to the Educational Fund at *Paderborn*. Annual payment to be made by Government of *Detmold* to School Fund at *Lippstadt*.
5. Domanial Revenues in *Lippstadt* to be reserved to Government of *Lippe*.
6. Statutes of Ladies' Foundation at *Lippstadt* to remain in force. Prince of *Lippe* to have half the Property in case of Abolition of the Foundation.
7. Ratifications. Date of First Payments.

(Translation.)

WHEREAS the necessity has been felt of dissolving the community of Sovereignty over the Town of Lippstadt hitherto existing between the Crown of Prussia and the Principality of Lippe, and His Serene Highness the Prince of Lippe has determined to cede to the Crown of Prussia the existing co-Sovereign Rights belonging to His Highness over Lippstadt; therefore Plenipotentiaries have been appointed to conclude a Treaty upon this matter, namely:

By His Majesty the King of Prussia,
His Privy Councillor of Legation Hellwig, and
His Privy Councillor of Finance Hellwig;
By His Serene Highness the Prince of Lippe,
His Privy Councillor Piderit,

Who, in virtue of their Full Powers, reciprocally acknowledged as valid, have agreed to and concluded the following Articles, subject to Ratification:

Cession of Lippstadt to Prussia.

ART. I. His Serene Highness the Prince of Lippe hereby, for himself, his heirs, and successors, cedes to His Majesty the King of Prussia, all Sovereign and Government Rights which have

hitherto belonged to His Highness as co-Sovereign over the whole town of Lippstadt.

Acceptance of Cession by Prussia.

ART. II. His Majesty the King of Prussia accepts the Cession made in Article I, and by reason thereof acquires the whole collective Sovereignty over Lippstadt and all the Government Rights connected therewith, which he will henceforth exercise exclusively, and cause to be exercised in his Royal name.

Compensation to Prince of Lippe for Sovereign Right of Taxation.

ART. III. As a compensation for the share of the Sovereign Right of Taxation over Lippstadt ceded by His Serene Highness the Prince of Lippe with the other rights, according to Article I, a fixed rent of 9,120 thalers, calculated upon 10 years' average proceeds of the share of the Taxation, will be paid as it becomes due, from the Prussian Treasury to the Princely Government at Detmold, in quarterly instalments of 2,280 thalers, Prussian currency.

Right of Prussia to redeem and Capitalise Compensation for Taxation.

The Right is, however, reserved to the Royal Prussian Government of entirely redeeming this Rent, after a previous notice of at least 6 months, by the payment of a Capital sum equal to 25 times the amount of the yearly rent. The Compensation-Rent is guaranteed until the date of paying the Capital.

Annual Payment to be made by Prussia to the Educational Fund at Paderborn.

ART. IV. The payment of those 1,000 thalers, half in convention money, with $2\frac{7}{8}$ per cent. exchange against Prussian currency and half in pistoles, at 5 thalers gold, which, according to the so-called Falkenhagen Agreement of 18th and 23rd September, 1791, are to be paid in quarterly instalments by the Princely Government at Detmold to the Educational Fund at Paderborn, will be undertaken by the Prussian Crown instead of the Princely Government, and discharged out of the Prussian Treasury.

Annual Payment to be made by Government of Detmold to School Fund at Lippstadt.

On the other hand, His Serene Highness the Prince of Lippe, in order to give the Town of Lippstadt a lasting proof of his good feeling, engages to have the yearly sum of 1,075 thalers Prussian currency, paid by the Princely Government at Detmold to the School Fund at Lippstadt, in quarterly instalments as they become due, as a contribution to the schools of the town.

Domanial Revenues in Lippstadt to be reserved to Government of Lippe.

ART. V. The Domanial Revenues from fee-farm-rents, ground-rents, &c., belonging to the Princely Government of Lippe in Lippstadt, are reserved to it without alteration.

Statutes of Ladies' Foundation at Lippstadt to remain in force.

ART. VI. With regard to the Ladies' Foundation at Lippstadt, the provisions of the Statutes of 16th February, and 27th March, 1827, remain as they are, especially with respect to the grant of places on the Foundation, as well as in regard to the joint direction and supervision of the Internal Administration of this Foundation by the Royal Government at Arnsberg, and the Princely Government at Detmold.

Prince of Lippe to have half the Property in case of Abolition of the Foundation.

If, contrary to expectation, the Abolition of the Foundation should be necessary hereafter, half the Property thereof will be placed at the disposal of His Serene Highness the Prince of Lippe.

Ratifications.

ART. VII. The present Treaty, so soon as it has received the constitutional assent of the Prussian Chambers, shall be ratified by His Majesty the King of Prussia and by His Serene Highness the Prince of Lippe, and the exchange of the Ratification-documents shall be expedited as much as possible.

Date of First Payments.

The First Payments on account of the engagements recipro-

cally undertaken in Articles III and IV, shall take place for that quarter within which the exchange of the Ratification-documents has been effected.

In witness whereof the Plenipotentiaries on both sides have signed and sealed the present Treaty.

Done at Berlin, 17th May, 1850.

(L.S.) FRIEDRICH HELLWIG.
(L.S.) GEORG HERRMANN HELLWIG.
(L.S.) CARL PIDERIT.

No. 221.—*TREATY OF PEACE between the King of Prussia, in his own name and in the name of the Germanic Confederation, on the one part, and Denmark on the other part. Signed at Berlin, 2nd July,* 1850.*

TABLE.

ART.
1. Peace and Friendship.
2. Renewal of Treaties.
3. Reservation of Rights.
4. Exercise of Authority for the Pacification of *Holstein*.
5. Appointment of Boundary Commissioners.
6. Ratifications.

Secret Article.

Prussia to take part in Negotiations regulating the Order of Succession in *Denmark*.

Note Explanatory of the words "pourra réclamer" in Article IV.

(Translation as laid before Parliament.†)

His Majesty the King of Prussia, in his own name and in the name of the Germanic Confederation on the one part, and His Majesty the King of Denmark on the other part, animated by the desire to re-establish between the said Confederation and Denmark the peace and good understanding which was interrupted by the Differences relating to the Duchies of Schleswig and of Holstein, have for that purpose named and authorised as their Plenipotentiaries, that is to say:

His Majesty the King of Prussia, Charles George Louis Guido d'Usedom, his Envoy Extraordinary and Minister Plenipotentiary to the Holy See, and to the Courts of Tuscany, Parma, and Modena, &c.;

His Majesty the King of Denmark, Frederick Baron Pechlin, his Chamberlain and Privy Councillor, &c.;

Holger Christian de Reedtz, his Chamberlain, &c.;

And Anthony William de Scheel, Doctor in Law, Auditor-General of his Army, &c.;

The above-named Plenipotentiaries, with the concurrence of

* A Protocol relative to the Evacuation of the Duchies of Schleswig, Holstein, and Lauenburg was signed on the same day. See also Protocols of 4th July and 2nd August, 1850, and note page 1143.

† For French version, see "State Papers," vol. xxxviii, p. 99.

the Earl of Westmorland, a Peer of the United Kingdom of Great Britain and Ireland, Lieutenant-General in Her Britannic Majesty's Army, Colonel of the 56th Regiment of the Line, &c., one of Her Britannic Majesty's Privy Council, and her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Prussia, as Representative of the Mediating Power, after having exchanged their respective Full Powers, found to be in good form, have agreed upon the following Articles:—

Peace and Friendship.

ART. I. There shall be for the future Peace, Friendship, and good understanding between Denmark and the Germanic Confederation.

The greatest attention shall be devoted by both Parties to the maintenance of the harmony so happily re-established, and they will carefully avoid everything which may disturb it.

Renewal of Treaties.

ART. II. All the Treaties and Conventions concluded between Denmark and the Germanic Confederation are by the present Treaty re-established.

Reservation of Rights.

ART. III. The High Contracting Parties reserve to themselves all the Rights which reciprocally belonged to them before the War.

Exercise of Authority for the Pacification of Holstein.

ART. IV. After the conclusion of the present Treaty, His Majesty the King of Denmark, Duke of Holstein, in conformity with the Federal law, may claim [pourra réclamer]* the Intervention of the Germanic Confederation, to re-establish the exercise of his Legitimate Authority in Holstein, communicating at the same time his intentions with respect to the Pacification of the Country. If upon this application the Confederation should not consider it to be its duty to interfere for the time, or if its Intervention should prove to be inefficacious, His Danish Majesty shall be at liberty to extend Military measures to Holstein, and to employ an armed force for that purpose.

* See Explanatory Note, page 1132.

Appointment of Boundary Commissioners.

ART. V. Within 6 months after the signature of the present Treaty, His Majesty the King of Denmark and the Germanic Confederation shall name Commissioners to determine, according to the documents and other proofs relative to the subject, the Boundary between those States of His Danish Majesty not comprised in the Germanic Confederation and those which belong thereto.

Ratifications.

ART. VI. The present Treaty shall be ratified, and the Ratifications* shall be exchanged at Berlin within 3 weeks, or sooner, if possible.

In witness whereof the Minister of the Mediating Power and the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto their Seals.

Done at Berlin, 2nd July, 1850.

(L.S.) WESTMORLAND.
(L.S.) F. PECHLIN.
(L.S.) H. C. REEDTZ.
(L.S.) USEDOM. (L.S.) A. W. SCHEEL.

(Translation.)

SECRET ARTICLE.

Prussia to take part in Negotiations regulating the order of Succession in Denmark.

HIS Majesty the King of Prussia engages to take part in the Negotiations which His Majesty the King of Denmark will initiate for regulating the Order of Succession in the States united under the Sceptre of His Danish Majesty.*

The present Secret Article shall be ratified at the same time as the Protocol of this day, and the Ratifications thereof shall be simultaneously exchanged.

Done at Berlin, 2nd July, 1850.

(L.S.) USEDOM. (L.S.) WESTMORLAND.
(L.S.) F. PECHLIN.
(L.S.) H. C. REEDTZ.
(L.S.) A. W. SCHEEL.

* See Treaty between Great Britain, Austria, &c., and Denmark, of 8th May, 1852.

[Duchy of Holstein.]

NOTE EXPLANATORY OF THE WORDS "POURRA RÉCLAMER" IN ARTICLE IV OF THE TREATY OF 2ND JULY, 1850.

The British Minister at Berlin to the Prussian Minister for Foreign Affairs.

(Private.)

M. LE BARON, *Berlin, 4th July*, 1850.

I HAVE received from Baron de Pechlin, in his name and in the name of his colleagues, the assurance that he has only considered the words "pourra réclamer" substituted for the words "réclamera," in Article IV of the Treaty of Peace between the German Confederation and Denmark, signed on the 2nd instant, as authorising the King of Denmark to endeavour by conciliatory means to re-establish peaceable relations with the Duchy of Holstein, without the Intervention of the Confederation.

If his efforts should be unsuccessful, Baron de Pechlin recognises the obligation of the King, contracted by the Treaty, to apply to the Confederation, before having recourse to any Military measures to restore the exercise of his authority in that Duchy.

It is only in case the Intervention so claimed was not acceded to, or should prove ineffective, that the King would be authorised to employ his Military means for that purpose.

I avail, &c.,

Baron Schleinitz. WESTMORLAND.

No. 222.—*PROTOCOL of Conference between Great Britain, Austria, Denmark, France, Russia, and Sweden and Norway, relative to the Integrity of the Danish Monarchy. London, 4th July, 1850.**

(Translation.†)

PRESENT: The Chargé d'Affaires of Austria; the Minister of Denmark; the Ambassador of France; Her Britannic Majesty's Secretary of State for Foreign Affairs; the Minister of Russia; and the Minister of Sweden and Norway.

Her Britannic Majesty's Principal Secretary of State for Foreign Affairs explained the proposition made to the Representatives assembled at the Foreign Office, to agree to the signature of the project of Protocol, herewith annexed, which he read.

He explained the circumstances which prevented the Prussian Minister attending the Conferences.

He then invited the Representatives assembled to inform him whether the Instruction of their Governments allowed them to proceed at once to the signature of the above-mentioned Act.

The Austrian Chargé d'Affaires declared that, for the want of the necessary Instructions, he considered himself obliged to refer to his Court, to which he would hasten to submit the Proposal, as well as the Project which had just been officially communicated to him.

The Danish Minister, in announcing that he was authorised to sign the proposed Protocol, expressed, in the name of his Court, the satisfaction which it feels to find therein proofs of interest, the value of which it could not fail to appreciate.

The French Ambassador and the Russian and Swedish Ministers declared themselves ready to sign the Protocol which had been read to them, as being of a nature fully to respond to the intentions of their Governments, in the common interest of the preservation of Peace and European equilibrium.

Convinced that the Court of Berlin is animated by the same feelings, the Representatives of Denmark, France, Russia, and Sweden and Norway, reserved to Her Britannic Majesty's Prin-

* See Treaty between Great Britain, Austria, &c., and Denmark, of 8th May, 1852.

† For French version, see "State Papers," vol. xlii, p. 845.

cipal Secretary of State to invite the Cabinet of Berlin to concur in the signature of the proposed Protocol.

The Representatives of Denmark, France, Great Britain, Russia, and Sweden and Norway, accordingly proceeded to initial the above-mentioned Act.

A. B. KOLLER.
REVENTLOW.
E. DROUYN DE LHUYS.
PALMERSTON.
BRUNNOW.
J. G. REHAUSEN.

(ANNEX.) *Draft of Protocol.*

PRESENT: the Plenipotentiaries of Austria, Denmark, France, Great Britain, Prussia, Russia, and Sweden and Norway.

His Majesty the Emperor of Austria, the President of the French Republic, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, and His Majesty the King of Sweden and Norway, considering that the Maintenance of the Integrity of the Danish Monarchy, bound to the general interests of European equilibrium, is of great importance for the preservation of Peace, have resolved, at the invitation of His Majesty the King of Denmark, to establish the perfect accord which exists between the Cabinets relative to their maintenance of that principle, and authorised their Plenipotentiaries assembled in Conference to issue in their name the following Declaration:—

§ 1. The unanimous desire of the said Powers is, that the state of the Possessions actually united under the Crown of Denmark be maintained in its integrity.

§ 2. They, consequently, recognise the wisdom of the views which determine His Majesty the King of Denmark eventually to regulate the Order of Succession in his Royal House, in such manner as to facilitate the arrangements by which the Integrity of the Danish Monarchy shall remain intact.

§ 3. They will continue to unite in their endeavours, in order that the Peace negotiations opened at Berlin, under the Mediation of Great Britain, on the Basis of the Preliminaries agreed upon at Berlin, may arrive at a speedy conclusion.

§ 4. As soon as that object has been attained, the said Powers reserve to themselves the right to consult together in order to give an additional pledge of stability to the result of those negotiations by an Act of European recognition. It is agreed that that deliberation shall take place at London, and that the said Powers shall furnish their Representatives with the necessary Full Powers to that effect.

R.
E. D. DE L.
P.
BW.
J. G. R.

No. 223.—*PROTOCOL of Conference between Great Britain, Austria, Denmark, France, Russia, and Sweden and Norway, relative to the Integrity of the Danish Monarchy. London, 2nd August,* 1850.*

(Translation.†)

PRESENT: The Chargé d'Affaires of Austria; the Minister of Denmark; the Ambassador of France; Her Britannic Majesty's Secretary of State for Foreign Affairs; the Minister of Russia; and the Minister of Sweden and Norway.

The Representatives assembled in Conference at the Foreign Office have taken into consideration the alterations to be made in the Project of Protocol of 4th July (**No. 222**), rendered necessary by the conclusion of the Treaty of Peace signed at Berlin on the 2nd of the same month (**No. 221**).

The alterations in the wording having been adopted by the Plenipotentiaries of Denmark, France, Great Britain, Russia, and Sweden and Norway, the Austrian Chargé d'Affaires expressed the wish of first submitting them for the approval of his Court.

It was resolved in consequence to proceed to the signature of the Protocol, leaving it open for the Court of Austria.

The same decision was adopted with reference to the Court of Prussia, whose Representative has not attended this meeting.

KOLLER.
REVENTLOW.
E. DROUYN DE LHUYS.
PALMERSTON.
BRUNNOW.
H. G. REHAUSEN.

* See Treaty between Great Britain, Austria, &c., and Denmark, of 8th May, 1852.

† For French version, see "State Papers," vol. xlii, p. 868.

No. 224.—*PROTOCOL of Conference between Great Britain, Austria, Denmark, France, Russia, and Sweden and Norway, relative to the Integrity of the Danish Monarchy. London, 2nd August,* 1850.*

(Translation.†)

PRESENT: the Plenipotentiaries of Austria, Denmark, France, Great Britain, Prussia, Russia, and Sweden and Norway.

His Majesty the Emperor of Austria, the President of the French Republic, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, and His Majesty the King of Sweden and Norway, considering that the Maintenance of the Integrity of the Danish Monarchy, bound to the general interests of European equilibrium, is of great importance for the preservation of Peace, have resolved, at the invitation of His Majesty the King of Denmark, to establish the perfect accord which exists between their Cabinets relative to the maintenance of that principle, and authorised their Plenipotentiaries assembled in Conference to issue in their name the following Declaration:—

§ 1. The unanimous desire of the said Powers is, that the state of the Possessions actually united under the Crown of Denmark be maintained in its Integrity.

§ 2. They, consequently, recognise the wisdom of the views which determine His Majesty the King of Denmark eventually to regulate the Order of Succession, in such manner as to facilitate the arrangements by which the object above mentioned can be obtained without altering the relations of the Duchy of Holstein with the Germanic Confederation.

§ 3. They congratulate themselves that the negotiations opened at Berlin under the Mediation of Great Britain should have already brought about the signature of a Treaty between Denmark and Prussia (**No. 221**), in her name, and in the name of the Germanic Confederation; Treaty which, they fully hope, will result in the re-establishment of Peace.

§ 4. Wishing on their part to express their desire to facilitate

* See Treaty between Great Britain, Austria, &c., and Denmark, of 8th May, 1852.

† For French Version, see "State Papers," vol. lxi, p. 953.

in as far as may depend upon them the conclusion of the arrangements mentioned in Article II of the present Protocol, the said Powers reserve to themselves the right to consult together, in order to give an additional pledge of stability to the result of their Negotiation by an Act of European Recognition. It is agreed that that deliberation shall take place at London, and that the said Powers shall furnish their Representatives with the necessary Full Powers to that effect.

REVENTLOW.
E. DROUYN DE LHUYS.
PALMERSTON.
BRUNNOW.
J. G. REHAUSEN.

[Austria acceded to this Protocol on the 23rd August, 1850.]

No. 225.—*CONVENTION between the Netherlands and Russia, relative to the Old Russian Debt. The Hague. $\frac{18}{30}$th August*, 1850.

ART. TABLE.

Preamble. Reference to Treaties of 19th May, 1815, and 19th April, 1839.
1. Renunciation by *Russia* of Interest and Sinking Fund due on *Russian-Dutch* Loan from 1832 to 1839.
2. Reimbursement to be made by the *Netherlands* of advances made for 1831.
3. Project of Law to be laid before States General for Payment of Sums agreed upon.
4. Payment to be made in Cash or Bank Notes.
Ratifications.

(Translation.)*

His Majesty the King of the Netherlands and His Majesty the Emperor of All the Russias, wishing to regulate by common consent everything relating to the duties and obligations arising out of the successive advances made by the Treasury of the Empire to that of the Kingdom of the Netherlands for the service of the Interest and Sinking Fund of the quota of the old Russian Debt in Holland, which His Netherlands Majesty had engaged to pay by the Convention of the $\frac{7}{19}$th May, 1815 (**No. 18**) (advances made from the 1st January, 1831, up to the 1st January, 1839, the last instalment expired before the conclusion of the Treaty of the $\frac{7}{19}$th April, 1839 (**No. 183**), stipulating for the definitive separation of the Belgic Provinces from the Kingdom of the Netherlands), have for that purpose appointed the following Plenipotentiaries, namely:

His Majesty the King of the Netherlands, the Sieur Herman van Sonsbeeck, his Minister for Foreign Affairs, &c.; and

His Majesty the Emperor of All the Russias, the Sieur Jean François Frederic Baron de Maltitz, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, &c.;

Who, after having exchanged their Full Powers found to be in good and due form, have agreed upon the following Articles:

* For French Version, see "State Papers," vol. xxxix, p. 110.

Renunciation by Russia of Interest and Sinking Fund due on Russian-Dutch Loan from 1832 *to* 1839.

ART. I. His Majesty the Emperor considering the State of things which the Treaty of the $\frac{7}{19}$th April, 1839 (**No. 183**), has established, and wishing to give to His Netherlands Majesty a proof of disinterestedness and a new testimony of his wish to obliterate from his relations with him even the least trace of a difference of opinion or of interest, renounces to any further prosecution of the Loan arising in favour of the Imperial Government out of the advances made for the service of the Interest and Sinking Fund of the ancient Russian Debt in Holland, from the Instalment of the 1st January, 1832, to that of the 1st January, 1839.

Reimbursement to be made by the Netherlands of advances made for 1831.

ART. II. On his part His Majesty the King of the Netherlands, wishing to consolidate more and more the relations of friendship and confidence so happily existing between the two Courts, declares himself ready to reimburse in full to the Treasury of the Empire, the advances which the latter had made to the Government of the Netherlands at the periods of the 1st January and 1st July, 1831, for the service of the Interest and Sinking Fund of the above-mentioned Debt, namely, the sums of 1,062,500 florins, and 256,250 florins of the Netherlands, in conformity with the engagements contained in the declarations handed over to the Imperial Government by the Minister of Finance, under date of the 4th June and 10th September, 1831, and to the verbal overture made on the $\frac{3\text{rd}}{15\text{th}}$ May, 1841, to the Russian Envoy at the Hague, by the Minister for Foreign Affairs of His Netherlands Majesty.

Project of Law to be laid before States General for Payment of Sums agreed upon.

ART. III. In execution of the engagements recognised and stipulated in the preceding Article, His Majesty the King of the Netherlands will lay before the States General, after the exchange of the Ratifications of the present Convention, and with the shortest possible delay, a Project of Law for the payment of the sums necessary to fulfil the said engagements.

Payment to be made in Cash or Bank Notes.

ART. IV. Within the term of 15 days, dating from the day of the passing of the law by the States General, the sums mentioned in Art. II, and forming a total of 1,318,750 florins, shall be deposited in Cash or Bank Notes of the Netherlands, to the account of the Imperial Minister of Finances, into the hands of the Agent of the Russian Government in Holland, in exchange for the receipt delivered by the Agent to the Minister of Finances of His Netherlands Majesty, by virtue of a special Power of Attorney from the Plenipotentiary of His Imperial Majesty.

Ratifications.

The present Convention shall be ratified, and the Ratifications exchanged at the Hague, in the space of 6 weeks, or sooner, if possible.

In testimony whereof, &c.

Done at the Hague, the $\frac{18}{30}$th August, of the year of Our Lord 1850.

(L.S.) VAN SONSBEECK. (L.S.) MALTITZ.

[See Note at Pages 152 and 874.]

No. 226.—*PROTOCOL for the Prolongation of the Convention of* $\frac{13th}{25th}$ *July*, 1840, *between Austria and Russia, relative to the Navigation of the Danube.** *Signed at Vienna,* $\frac{1st}{13th}$ *November*, 1850.

(Translation.†)

The term of 10 terms for which, by virtue of Article XI of the Convention relative to the Navigation of the Danube, concluded at St. Petersburgh the $\frac{13th}{25th}$ July, 1840 (**No. 191**), between Austria and Russia, was obligatory, having expired on the $\frac{10th}{22nd}$ September last, and his Imperial and Royal Apostolic Majesty, as well as His Imperial Majesty of All the Russias having resolved to continue in force the above-mentioned Convention for the space of another year, that is to say, to the $\frac{10th}{22nd}$ September, 1851, the Undersigned, empowered by their respective High Courts to establish undeniably that Agreement, have met and signed this day, to that effect, the present Protocol in duplicate and have affixed thereto the Seal of their Arms.

Done at Vienna, the $\frac{1st}{13th}$ November, 1850.

(L.S.) F. SCHWARTZENBERG.
(L.S.) MEYENDORFF.

* See General Treaty of 30th March, 1856, Art. XV.
† For French version, see "State Papers," vol. xxxix, p. 104.

No. 227.—*AGREEMENT between the Austrian and Prussian Ministers, respecting the affairs of Holstein and Hesse-Cassel. Olmütz, 29th November*, 1850.*

TABLE.

1. *Electoral Hessian* and *Holstein* Affairs to be settled by Germanic Governments.
2. Commissioners to be appointed by *Germanic Confederation*, and by *Prussia* and her *Allies*.
3. Establishment of legal state of things in *Electoral Hesse* and *Holstein*. Maintenance of Tranquillity in *Hesse-Cassel*. *Austria* and *Prussia* to send to *Holstein* Commissioners to demand Cessation of Hostilities.
4. Conferences to be held at *Dresden*.

(Translation.)

AT the confidential Conference which took place yesterday and to-day between the Undersigned, the following propositions were set forth as possible points for the Settlement of existing Differences, and as means adapted for the prevention of conflicts; and they will be submitted as speedily as possible for the final sanction of the High Governments concerned.

Electoral Hessian and Holstein affairs to be settled by German Governments.

§ 1. The Governments of Austria and Prussia declare that it is their intention to bring about the Final and Definitive Settlement of the Electoral Hessian and Holstein affairs, by the common decision of all the German Governments.

Commissioners to be appointed by German Confederation, and by Prussia and her Allies.

§ 2. In order to render the co-operation of the Governments represented at Frankfort and of the other German Governments possible, there shall be named, as soon as may be, on the part of the members of the Confederation represented at Frankfort, as well as on the part of Prussia and her Allies, a Commissioner for

* The Duchy of Holstein was annexed to Prussia by a Law dated 24th December, 1866; and Hesse-Cassel was also annexed to Prussia by a Decree dated 20th September, 1866.

each, who will have to agree upon the measures to be taken in common.

Establishment of Legal state of things in Electoral Hesse and Holstein.

§ 3. As it is, however, for the general interest that both in Electoral Hesse and in Holstein, there should be established a legal state of things conformable with the Fundamental Laws of the Confederation, and rendering the fulfilment of the Federal duties possible; as, moreover, Austria has given to the full, in her own name, and in that of the States allied with her, the guarantees for the security of the interests of Prussia required by the latter in regard to the occupation of the Electorate, the two Governments of Austria and Prussia agree, in order to proceed with the discussion of the questions, and without prejudice to the future decision, as follows:

Maintenance of Tranquillity in Hesse-Cassel.

A. In Electoral Hesse, Prussia will oppose no impediment to the action of the Troops called in by the Elector, and, therefore, will issue the necessary orders to the Generals in command there, to allow a thoroughfare by the military roads occupied by Prussia. The two Governments of Austria and Prussia will, in concert with their Allies, call upon His Royal Highness the Elector to give his consent for one battalion of the Troops called in by the Electoral Government, and one Royal Prussian battalion to remain at Cassel, in order to Maintain Tranquillity and Order.

Austria and Prussia to send to Holstein Commissioners to demand Cessation of Hostilities.

B. After consultation with their Allies, Austria and Prussia will send to Holstein, and that as speedily as possible, joint Commissioners, who shall demand of the Stadtholdership, in the name of the Confederation, the Cessation of Hostilities, the withdrawal of the troops behind the Eyder, and the reduction of the Army to one-third of its now existing strength, threatening common execution in case of refusal. On the other hand, both Governments will endeavour to prevail on the Danish Government not to station in the Duchy of Schleswig more troops than are necessary for the preservation of Tranquillity and Order.

Conferences to be held at Dresden.

§ 4. Ministerial Conferences will immediately take place at Dresden. The invitation to them will be issued by Austria and Prussia conjointly, and will be so arranged that the Conferences may be opened about the middle of December.

(L.S.) SCHWARZENBERG.
(L.S.) MANTEUFFEL.

No. 228. — *SUPPLEMENTARY BOUNDARY TREATY between Austria and Bavaria. Signed at Munich, 16th December, 1850.*

ART. TABLE.

1. New definition of Section 1 of the Boundary Line from *Scheilbelberg* to the River *Inn*.
2. Section 2 of the line from the left bank of the *Inn* to the River *Lech* remains unaltered.
3. The proposed exchange of Territory at *Jungholz*, *Bröger*, and *Rohrmoos*, is given up.

4 to 6. Revised definition of Section 3 of the Boundary Line from the *Lech* to the Lake of *Constantine*.

7 & 8. Where not altered by the present Treaty the Stipulations of the former one remain in force.

9. Periodical inspection of the Boundary Line.

10 & 11. Ratifications and Official Communications.

ANNEX.

Revised description of the Boundary Line between the Principality of *Tyrol* with *Vorarlberg* and the Kingdom of *Bavaria*.

1, 2, and 3. Detailed description of the Boundary Line, and the marks throughout the 3 sections.

(Translation.)

Reference to Treaty of 30th January, 1844.

FOR the completion and execution of the Treaty of 30th January, 1844 (**No. 197**), Commissioners have been appointed, namely, for Austria, Councillor Daniel Mensi, Ritter von Klarbach; for Bavaria, Councillor Daniel Gustavus von Bezold; who have agreed to the following Supplementary Treaty:

ARTS. I to XI. (See Table.)

Munich, 16th December, 1850.

DANIEL MENSI, RITTER VON KLARBACH.
DANIEL GUSTAVUS VON BEZOLD.

ANNEX.

Revised description of the Boundary Line between the Principality of Tyrol with Vorarlberg and the Kingdom of Bavaria.

ARTS. I, II, and III. *Detailed description of the Boundary Line and the marks throughout the 3 sections.*

EDWARD PARTSCH, } Surveyors to the
ANTHONY REISENEGGER, } Commission.

In witness of the present Annex to the Supplementary Treaty of this date.

Munich, 16th December, 1850.

DANIEL MENSI, RITTER VON KLARBACH.
DANIEL GUSTAVUS VON BEZOLD.

No. 229.—*PROTOCOL between Denmark and Russia, relative to the Danish Succession.—Warsaw,* $\frac{24\text{th May,}}{5\text{th June,}}$ 1851.*

(Translation as laid before Parliament.)

His Majesty the Emperor of All the Russias, and His Majesty the King of Denmark, taking into consideration the engagements entered into between their august predecessors, in the years 1767 and 1773;†

Considering that, as well for establishing the tranquillity of the North of Europe on a durable footing, as for removing all that could then, or for the future, give rise to misunderstandings or differences in the august House of Oldenburg, the Emperor Paul, of glorious memory, then Grand Duke of Russia, renounced for himself, as also for his heirs and descendants, in favour of His Majesty King Christian VII, of glorious memory, as also of the heirs of his Royal Crown, all his rights and pretensions to the Duchy of Schleswig in general, and to the heretofore princely portion of that Duchy in particular;

That in the same manner, and from the same motives, His Majesty the Emperor Paul ceded for himself, as also for his descendants, heirs, and successors, all that he possessed in the Duchy of Holstein, whether in common with His Majesty the King of Denmark, or separately;

Considering that this Act of Cession of the Duchy of Holstein has only been made expressly in favour of His Majesty King Christian VII, and of his male lineage, and also eventually in favour of the late Prince Frederick, the King's brother, and of the male lineage of that Prince, and that the eventualities which the terms themselves of this Act of Cession admitted, have already in part been realised by the extinction of the male lineage of King Christian VII, or may be realised at a period more or less near, without the said transactions having in any manner provided for them;

Foreseeing the dangers which this silence in existing Treaties may cause to the Danish Monarchy, if, on the extinction of the male line actually on the throne of Denmark, the *lex regia* should

* See Treaty between Great Britain, Austria, &c., and Denmark of 8th May, 1852.

† See Appendix.

receive its pure and simple application to one part of the Monarchy;

Have acknowledged the obligation and the right, as successors of the august Contracting Parties, to the engagements of 1767 and 1773, to come to an understanding as to the ulterior arrangements most suited to the double objects which they have had in view.

In consequence, the Undersigned, after mature examination of all the questions connected with this affair, have agreed amongst themselves, under the express reservation of the high approbation of their respective Sovereigns, and have embodied in the present Protocol the points which follow:

1. The objects proposed in the interest of the Peace of the North, as well as that of the internal Peace of the august House of Oldenburg, namely, the maintenance of the Integrity of the Danish Monarchy, can only be realised by means of an arrangement summoning to the Succession of the whole of the States actually united under the sceptre of His Majesty the King of Denmark, the male lineage solely, to the exclusion of women.

2. The male lineage of Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg and of his consort the Princess Louise of Hesse, unites in itself the rights of inheritance, which, on the extinction of the male line actually reigning in Denmark, devolve upon it in virtue of the Renunciations of Her Royal Highness the Landgravine Charlotte of Hesse, of her son Prince Frederick of Hesse, and of her daughter the Princess Mary of Anhalt-Dessau.

3. Wishing on his part to complete the Titles resulting from these Renunciations, and thus to effect an arrangement which would be of such high importance and interest for the maintenance of the Danish Monarchy in its Integrity, His Majesty the Emperor of All the Russias, as chief of the elder branch of Holstein Gottorp, would be ready to renounce the eventual Rights which belong to him in favour of Prince Christian of Glücksbourg, and of his male lineage.

Nevertheless it is understood:

That the eventual Rights of the two Younger Branches of Holstein Gottorp should be expressly reserved;

That those which the August Chief of the Elder Branch should abandon for himself and for his male lineage in favour of Prince Christian of Glücksbourg and of his male lineage, should be revived

in the Imperial House of Russia whenever (which God forbid) the male lineage of that Prince should become extinct.

That inasmuch as the Renunciation of His Majesty the Emperor would principally have for its object to facilitate an arrangement called for by the first interests of the Monarchy, the offer of such a renunciation would cease to be obligatory if the arrangement itself should fail.

4. In consequence of the considerations which are above pointed out by the above §§ 2 and 3, the Prince Christian of Glücksbourg, conjointly with the Princess, his consort, and in their default, the male lineage of their Highnesses, would have, more than any other branch, claims which qualify them to succeed, if the contingency should arrive, to the States actually united under the sceptre of His Danish Majesty.

Consequently the two Courts of Copenhagen and of St. Petersburgh have agreed;

That His Majesty the King of Denmark shall designate the Prince and Princess of Glücksbourg conjointly as heirs presumptive of his Crown, in case the male line of the dynasty actually reigning should become extinct;

That His Majesty shall make known his high determination to the Powers in amity with Denmark;

That if, to ensure the complete success of this arrangement, still further renunciations should be deemed useful and desirable, it would be for His Danish Majesty to make himself responsible for the indemnities to which just and equitable Claims should be established;

Finally, that the negotiations necessary to give to the arrangements in virtue whereof the Prince and Princess of Glücksbourg shall be acknowledged as successors presumptive to the throne of Denmark, the character of an European transaction shall take place in London.*

The Undersigned reserve to themselves to submit the present Protocol to their august Sovereigns, and to solicit their high approbation in favour of the provisions it contains.

Warsaw, $\frac{\text{24th May}}{\text{5th June}}$, 1851.

NESSELRODE.
MEYENDORFF.
REEDTZ.

* See Treaty between Great Britain, Austria, &c., and Denmark of 8th May, 1852.

No. 230.—*TREATY between Great Britain, Austria, France, Prussia, Russia, and Sweden and Norway, on the one part, and Denmark on the other part, relative to the Succession to the Crown of Denmark. Signed at London, 8th May,* 1852.

ART. TABLE.

Preamble. Balance of Power in *Europe*.
1. Order of Succession by Order of Primogeniture, from Male to Male.
2. Integrity of *Danish* Monarchy.
3. Rights and Obligations of *Denmark* and of the *Germanic Confederation*, concerning the Duchies of *Holstein* and *Lauenburg*.
4. Invitation to other Powers to Accede.
5. Ratifications.

(Translation as laid before Parliament.*)

In the name of the Most Holy and Indivisible Trinity.

Balance of Power in Europe.

HER Majesty the Queen of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Prince President of the French Republic, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, and His Majesty the King of Norway and Sweden, taking into consideration that the maintenance of the Integrity of the Danish Monarchy, as connected with the general interests of the Balance of Power in Europe is of high importance to the preservation of Peace, and that an Arrangement by which the Succession to the whole of the Dominions now united under the sceptre of His Majesty the King of Denmark should devolve upon the male line, to the exclusion of females, would be the best means of securing the Integrity of that Monarchy, have resolved, at the invitation of His Danish Majesty, to conclude a Treaty, in order to give to the arrangements relating to such order of Succession an additional pledge of stability by an act of European acknowledgment.

In consequence, the High Contracting Parties have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great

* For French Version, see "State Papers," vol. xlii, p. 13.

Britain and Ireland, the Right Honourable James Howard, Earl of Malmesbury, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Lewis Baron de Kübeck, Chargé d'Affaires of His Imperial and Royal Apostolic Majesty at the Court of Her Britannic Majesty, &c.;

The Prince President of the French Republic, the Sieur Alexander Colonna Count Walewski, Ambassador of the French Republic to Her Britannic Majesty, &c.;

His Majesty the King of Prussia, the Sieur Christian Charles Josiah Bunsen, Privy Councillor of His Majesty the King of Prussia, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of Sweden and Norway, the Sieur John Gothard Baron de Rehausen, his Chamberlain, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.; and

His Majesty the King of Denmark, the Sieur Christian de Bille, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:

Order of Succession by order of Primogeniture, from Male to Male.

Art. I. After having taken into serious consideration the interests of his Monarchy, His Majesty the King of Denmark, with the assent of His Royal Highness the Hereditary Prince, and of his nearest cognates, entitled to the Succession by the Royal Law of Denmark, as well as in concert with His Majesty the Emperor of All the Russias, Head of the elder Branch of the House of Holstein-Gottorp, having declared his wish to regulate the order of Succession in his dominions in such manner that, in default of issue male in a direct line from King Frederick III of Denmark, his Crown should devolve upon His Highness the Prince

Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg, and upon the issue of the marriage of that Prince with Her Highness the Princess Louisa of Schleswig-Holstein-Sonderbourg-Glücksbourg, born a Princess of Hesse, by order of Primogeniture from Male to Male; the High Contracting Parties, appreciating the wisdom of the views which have determined the eventual adoption of that arrangement (**No. 229**), engage by common consent, in case the contemplated contingency should be realized, to acknowledge in His Highness the Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg, and his issue male in the direct line by his marriage with the said Princess, the Right of Succeeding to the whole of the Dominions now united under the sceptre of His Majesty the King of Denmark.

Integrity of Danish Monarchy.

ART. II. The High Contracting Parties, acknowledging as permanent the principle of the Integrity of the Danish Monarchy, engage to take into consideration the further propositions which His Majesty the King of Denmark may deem it expedient to address to them in case (which God forbid) the extinction of the issue male, in the direct line, of His Highness the Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg, by his marriage with Her Highness the Princess Louisa of Schleswig-Holstein-Sonderbourg-Glücksbourg, born a Princess of Hesse, should become imminent.

Rights and Obligations of Denmark and of the Germanic Confederation concerning the Duchies of Holstein and Lauenburg.

ART. III. It is expressly understood that the reciprocal Rights and Obligations of His Majesty the King of Denmark, and of the Germanic Confederation, concerning the Duchies of Holstein and Lauenburg, Rights and Obligations established by the Federal Act of 1815 (**No. 27**), and by the existing Federal Right, shall not be affected by the present Treaty.*

Invitation to other Powers to accede.†

ART. IV. The High Contracting Parties reserve to themselves

* The King of Denmark issued a Patent on the 8th January, 1851, re-establishing the Danish Rights of Sovereignty over Lauenburg.

† See Note next page.

to bring the present Treaty to the knowledge of the other Powers, and to invite them to accede to it.

*Ratifications.**

ART. V. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London at the expiration of 6 weeks, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 8th day of May, in the year of Our Lord, 1852.

(L.S.) BILLE.

(L.S.) MALMESBURY.
(L.S.) KUBECK.
(L.S.) A. WALEWSKI.
(L.S.) BUNSEN.
(L.S.) BRUNNOW.
(L.S.) REHAUSEN.

In accordance with Article IV of this Treaty, the following Powers were invited to accede to it:—

Baden.
Bavaria.
Belgium.
Greece.
Hanover.
Hesse-Cassel.
Hesse-Darmstadt.
Mecklenburg-Schwerin.
Mecklenburg-Strelitz.
Naples.
Netherlands.
Oldenburg.
Portugal.
Sardinia.
Saxe-Weimar.
Saxony.
Spain.
Tuscany.
Wurtemberg.

The Powers which did accede to it were:—

Belgium ..... 28th Dec., 1852.
Hanover ..... 11th Dec., 1852.
Hesse-Cassel.... 16th Dec., 1852.
Naples ..... 28th Jan., 1853.

* Ratifications exchanged at London, 19th June, 1852.

Netherlands	20th Dec., 1852.
Oldenburg	10th Dec., 1852.
Portugal	19th Mar., 1853.
Sardinia	4th Dec., 1852.
Saxony	9th Dec., 1852.
Spain	6th Dec., 1852.
Tuscany	6th Dec., 1852.
Wurtemberg	28th Nov., 1852.

Oldenburg and Saxony, however, in their accessions, reserved certain rights contained in ancient Treaties.

The following States refused to accede to the Treaty until the views of the German Diet on the subject should have been made known:—

Baden	26th Jan., 1853.
Bavaria	20th Dec., 1852.
Hesse-Darmstadt	24th Jan., 1853.
Mecklenburg-Schwerin	10th Jan., 1853.
Mecklenburg-Strelitz	10th Jan., 1853.
Saxe-Weimar	31st Dec., 1852.

No. 231. — *TREATY between Great Britain, Bavaria, France, Greece, and Russia, relative to the Succession to the Crown of Greece. Signed at London, 20th November, 1852.**

ART. TABLE.

Preamble. Reference to Convention of 7th May, 1832.
1. Religion of Successors to Crown of *Greece*.
2. Regency of Queen Amelia during Minority of Successor to the Throne.
3. Ratifications.

(Translation as laid before Parliament.†)

Reference to Convention of 7th May, 1832.

In the Name of the Most Holy and Indivisible Trinity.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Prince President of the French Republic, and His Majesty the Emperor of All the Russias, being desirous to consolidate the order of Succession to the Throne of Greece, which is placed under their common Guarantee; and acknowledging the necessity, for this purpose, of placing the stipulations of Article VIII of the Convention of the 7th May, 1832 (**No. 159**), in harmony with the condition established by Article XL of the Hellenic Constitution; have resolved to conclude a Treaty to that effect, in conjunction with His Majesty the King of Bavaria, as a signing party to the Convention of 1832 (**No. 159**), and with His Hellenic Majesty as a party directly interested in a transaction intended to secure the future Tranquillity of Greece.

Their Majesties the King of Bavaria and the King of Greece having responded to that invitation, the High Contracting Parties have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable James Howard Earl of Malmesbury, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the King of Bavaria, the Sieur Augustus Baron de

* See also Treaty between Great Britain, France, Russia, and Denmark, relative to the Accession of Prince William of Denmark to the Throne of Greece, 13th July, 1863.

† For French version, see "State Papers," vol. xli, p. 36.

Cetto, his Chamberlain, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Bavaria to Her Britannic Majesty, &c.;

The Prince President of the French Republic, the Sieur Alexander Colonna Count Walewski, Ambassador of the French Republic to Her Britannic Majesty, &c.;

His Majesty the King of Greece, the Sieur Spyridion Tricoupi, a Senator of the Kingdom of Greece, Envoy Extraordinary and Minister Plenipotentiary of His Hellenic Majesty to Her Britannic Majesty, &c.;

And His Majesty the Emperor of All the Russias, the Sieur Philip, Baron de Brunnow, his Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

Who after having communicated to each other their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

Religion of Successors to Crown of Greece.

ART. I. The Princes of the House of Bavaria entitled, under the Convention of 1832 (**No. 159**) and under the Hellenic Constitution, to succeed to the Crown of Greece in the event of King Otho dying without direct and legitimate posterity, cannot ascend the Throne of Greece unless they conform to Article XL of the Hellenic Constitution, which is as follows:

"Every Successor to the Crown of Greece must profess the Religion of the Orthodox Eastern Church."

Regency of Queen Amelia during Minority of Successor to the Throne.

ART. II. In conformity with the third Decree of the Hellenic Assembly, Her Majesty Queen Amelia, during her widowhood, is of right entitled to the Regency in the event of the Minority or of the absence of the Successor to the Throne, according to the conditions of Article XL of the Constitution.

Ratifications.

ART. III. The present Treaty shall be ratified, and the Ratifications* shall be exchanged at London in the period of 6 weeks, or sooner if possible.

* Ratifications exchanged at London, 1st February, 1853.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 20th day of November, in the year of Our Lord, 1852.

(L.S.) MALMESBURY.
(L.S.) A. DE CETTO.
(L.S.) A. WALEWSKI.
(L.S.) S. TRICOUPI.
(L.S.) BRUNNOW.

NOTE.—Previous to the conclusion of this Treaty, Conferences were held in London, upon the subject of the Succession to the Throne of Greece, between the Plenipotentiaries of Great Britain, France, Russia, Bavaria, and Greece.

No.	LIST OF PROTOCOLS.
1. 21st October, 1852.	*Great Britain, France,* and *Russia.*
	Annex. Mem. by the British Plenipotentiary, the Earl of Malmesbury.
2. 20th November, 1852.	*Great Britain, France, Russia, Bavaria,* and *Greece.*
	Annex A. Mem. by the Bavarian Plenipotentiary, Baron de Cetto.
	B. Mem. by the Greek Plenipotentiary, M. Tricoupi.

No. 232.—*PATENT for the Union of the Duchies of Anhalt-Dessau and Anhalt-Köthen into one Duchy. Dessau, 22nd May, 1853.**

(Translation.)

We, Leopold Frederick, by the Grace of God, eldest reigning Duke of Anhalt, Duke of Saxony, Engern, and Westphalia, Count of Askania, Lord of Zerbst, Bernburg, and Gröbzig, &c., hereby make known that a Treaty, which we have ordered to be published, bearing date the 2nd and 7th of May this year, has been concluded between us and His Highness our well-beloved cousin Alexander Charles, the reigning Duke of Anhalt-Bernburg, concerning the revocation of the community till now existing between us of the Rights of Sovereignty and of Government over the Duchy of Anhalt-Köthen, and concerning the Surrender of those Rights, so far as they heretofore belonged to our aforesaid cousin.

By virtue of this Treaty the Duchies of Anhalt-Dessau and Anhalt-Köthen are now united into one Duchy under our Government, and while we expect that all the authorities and public officers, the military, the vassals, and all the other subjects and inhabitants of the heretofore Anhalt-Köthen Territories, will render to us, as their present sole Sovereign and feudal Lord, their due obedience and sworn allegiance, we assure them of our Sovereign protection and of our continued grace and favour.

We now declare the former separate Ministries of the Duchies of Anhalt-Dessau and Anhalt-Köthen to be united into one, under the title of "Ministry of State of the Duchy of Anhalt," which has its seat in Dessau, and is to transact undividedly all the business with which it is charged by us.

In like manner are not only all the other authorities of Anhalt-Köthen to be united with those of Anhalt-Dessau, but we command also that even at the present moment, and until

* A Decree to the same effect was also issued on the 30th August, 1853. The branch of Anhalt-Bernburg became extinct on the 19th August, 1863, and its possessions were then united to the other branches. The united Territories now form the Duchy of Anhalt.

the union of the whole body of the Anhalt troops can take place, as agreed upon in Article IX of the Treaty, the Union of the former Anhalt-Köthen contingent with that of Anhalt-Dessau, shall be effected.

We charge our Ministry with the complete execution of the Union of both Lands, and we await their report for our decision and further orders respecting the measures and arrangements that may become necessary and fitting in this behalf.

Given under our Hand and Ducal Seal at Dessau, 22nd May, 1853.

(L.S.) LEOPOLD FREDERICK,
Duke of Anhalt.

v. Gossler.
v. Plotz.

No. 233.—*TERRITORIAL TREATY between Prussia and Oldenburg. Signed at Berlin, 20th July, 1853.**

ART. TABLE.

Preamble.
1. *Oldenburg* Commerce and Shipping to be under *Prussian* Protection.
2. *Prussian* Protection of *Oldenburg* Coasts against Hostile Attacks.
3. *Prussian* Naval Station in Bay of *Jahde*.
4. Boundaries of Territories ceded to *Prussia* on Western Side of the *Jahde*. Boundaries of Territories ceded to *Prussia* on Eastern Side of the *Jahde*.
5. Extension of Cession if necessary.
6. Further Cession, if necessary, for Erection of Fortifications.
7. Cession by *Oldenburg* of Private Property, and Purchase by *Prussia* of Private Property in *Inner Dyke*.
8. *Oldenburg* Subjects to Retain their Nationality, unless they wish to become *Prussian* Subjects.
9. Appointment of Boundary Commissioners.
10. Harbour for Ships of War to be completed in 3 years; if not *Oldenburg* may claim Retrocession.
11. Cession of Sovereignty not to be Reclaimed by *Oldenburg*, except in case provided for in Art. X. Territory ceded to *Prussia* not to be transferred to any third State without consent of *Oldenburg*.
12. Cession of Waters of the *Jahde* to *Prussia*.
13. *Prussia* not to form a Commercial Harbour or Commercial Town, &c.
14. Rights of *Prussia* over acquired Private Property.
15. *Oldenburg* not to erect Fortifications within One Mile from Ceded Territory.
16. Free Passage to *Prussian* Ships on the *Jahde*.
17. *Prussian* Rights to Naval Police.
18. Maintenance of Buoys, &c., by *Prussia*.
19. *Prussian* Pilots on the *Jahde*.
20. Quarantine and Postage to be regulated by Special Agreement.
21. Use of Dry Dock by *Prussia*.
22. *Prussian* Military Roads to be regulated by Special Convention.
23. Formation of a Highway at expense of *Prussia*.
24. Railway Concession to *Prussia* for the construction of a Line from the Naval establishment at *Jahde* to join the *Cologne* and *Minden* Railway.
25. Highways and Railroads constructed by *Prussia* to remain the Property of *Prussia*, but to be open to the use of *Oldenburg* and her Subjects.
26. Protection and Drainage of Dykes.
27. Removal of Highway along the Dyke to be at expense of *Prussia*.
28. Territory ceded to *Prussia* separated from all Political Union and Dyke-Associations. Maintenance of Church and School Union.
29. Customs Regulations reserved for Special Agreement.
30. Arbitration in case of Difference in Interpretation of Treaty.
31. Ratifications.

* Letters Patent were issued by the King of Prussia on the 5th November, 1854, for the Union of the Territory of Jahde to Prussia. See also Supplementary Stipulations, 1st December, 1853.

(Translation.)

His Majesty the King of Prussia, and His Royal Highness the Grand Duke of Oldenburg, considering that for the appropriate development of her Royal Navy Prussia requires a station on the coast of the North Sea, and that Oldenburg requires Protection for her Maritime Commerce and Navigation, and that these requirements have not been attainable by the means hitherto available, have resolved to enter into a Treaty upon these matters, and for that purpose have appointed the following Plenipotentiaries, that is to say:

His Majesty the King of Prussia, His Majesty's Councillor Ernst Gaebler, Doctor of Law;

His Royal Highness the Grand Duke of Oldenburg, His Royal Highness's Councillor Albrecht Johannes Theodor Erdmann;

Who, after the exchange and reciprocal acknowledgment of their Full Powers, have agreed upon the following stipulations, subject to the Ratification of the respective Sovereigns:

Oldenburg Commerce and Shipping to be under Prussian Protection.

Art. I. Prussia places the Oldenburg Commerce and Shipping on the seas under the Protection of the Royal Navy, so that all Vessels which are Oldenburg property, and sail under the Oldenburg Flag, shall be everywhere protected and defended in the same manner as Vessels which are Prussian property and sail under the Prussian Flag. It is of course understood that Oldenburg is free to renounce this Protection at any time.

Prussian Protection of Oldenburg Coasts against Hostile Attacks.

Art. II. Prussia binds herself to undertake, on the application of Oldenburg, the Protection of the Oldenburg Coasts against Hostile Attacks from the Sea, so often as circumstances may, in the estimation of Oldenburg, require it.

Prussian Naval Station in Bay of Jahde.

Art. III. With regard to the obligations undertaken in Articles I and II Prussia will maintain a Naval Station in the Bay of Jahde, and for this purpose will form a Harbour there for Ships of War, at her own expense.

Boundaries of Territories ceded to Prussia on Western side of the Jahde.

ART. IV. For this purpose Oldenburg cedes to Prussia, with full Sovereignty:

1. On the western side of the Jahde, a Territory, the Boundaries of which are determined as follows:

a. Commencing at the Bandter Outer Deep, the Boundary line runs along the same through the "Bandter groden," then through the Bandter Sluice and the Bandter Inner Deep, to that point in the curve of the Deep, which in a straight line from the inner brink of the top of the Dyke across the sluice is distant 1,310 feet Oldenburg "Kataster" measure (= 1,234·975 feet Rhenish).

b. From the point thus fixed the Boundary is formed by a straight line to the Heppenser Dyke, which cuts off 552 "Juck" (to 64,000 square feet) Oldenburg "Kataster" measure (= 1,211 morgen (acres), 57 square rods, 12·5 square feet, Magdeburg measure), of Inner Dyke land, and nearly reaches the Boundary mark between the Heppenser and the "Neugroden Sprenge."

c. From hence the Boundary is formed by a line which stands perpendicular to the true meridian, and it follows the same to that point on the Jever side of the principal channel of the Jahde, where the depth would, according to the present system of buoying, require the placing of a Beacon or Buoy.

d. From thence the Boundary runs south in a straight line to that point on the north side of the Steinhäuser Deep ("Salze Brake"), where the channel ought, according to the present system, to be marked by a Buoy.

e. The further Boundary is formed from hence by a straight line which completely encloses the outer harbour near Fährhuck, hitherto called Fährhuck roadstead, formed by the Mary Deep (Marientief), and continues so along the southern border of the same, till it is cut by the elongated direction of the Bandter Outer Deep, and then follows.

f. The said direction to the starting point denoted at the beginning of this description.

Boundaries of Territories ceded to Prussia on Eastern side of the Jahde.

2. On the eastern side of the Jahde, a Territory containing 4 "Juck" Oldenburg measure (= 8 acres, 139 square rods,

97·91 square feet, Magdeburg measure) of Inner Dyke Land, situated in the corner of the Eckward Stone Dyke, as well as the Dyke before this land, and the Wing Dyke, with their bermes and shallows, so far as these shall be defined by rectangular lines drawn on the ceded Dykes; likewise the expanse of water lying between the continuation of these lines, to a breadth of 500 feet Oldenburg measure, from the edge flats left dry at ebb-tide. The form which the area comprising the 4 "Juck" of Inner Dyke Land is to have, is left to the decision of Prussia at the settlement of the Boundaries.

Extension of Cession if necessary.

Art. V. Should the plan adopted by Prussia for a Naval Establishment require in some places a small enlargement of the ceded area, Oldenburg promises to extend the Cession of Sovereignty to such enlargements so soon as Prussia binds herself to carry out the plan to the stated extent.

Further Cession if necessary for erection of Fortifications.

Art. VI. In case Prussia, for the better Protection of the Roadstead in the direction of the Eckward Wing Dyke, shall hereafter contemplate the erection of Fortifications on the plateau (Feldsteert) situated in the Jahde there, Oldenburg will also Cede to Prussia the necessary space with full Sovereignty.

Cession by Oldenburg of Private Property; and Purchase by Prussia of Private Property in Inner Dyke.

Art. VII. With regard to the dykes, dyke-bermes, "groden," and flats situated in the Ceded Territory, Oldenburg transfers to Prussia, besides the full Sovereignty, also the Private Property therein, so far as it belongs to the Oldenburg State; and Prussia is to effect the acquisition of Private Property in the Inner Dyke Territory at her own expense.

Oldenburg subjects to retain their Nationality unless they wish to become Prussian subjects.

Art. VIII. The Inhabitants of the ceded Territories are not to be considered as immediately ceded therewith, but are to be deemed Oldenburg Subjects settled in Prussia, in so far as they themselves do not desire to be received into the community of

Prussian Subjects, whereupon they have to declare themselves within a year after the taking possession by Prussia. If they make such a declaration they are thereby received into the community of Prussian Subjects without further ceremony.

Appointment of Boundary Commissioners.

Art. IX. The transfer of the Territories Ceded in Article IV is to take place immediately after the publication of this Treaty in either of the two Contracting States. For this purpose Prussia and Oldenburg will appoint Commissioners, who shall at once proceed to the settlement of the Boundaries on the spot, and who shall be authorised to agree to deviations in particulars, according to the respective requirements; adhering however to the superficial area fixed by the description of the Boundaries. In default of agreement [as to variations], the Frontier Lines are to remain as described (Article IV). The Boundary Lines thus settled are to be marked on land by fixed stones or stakes, and on the water by placing proper sea marks; these Boundary marks are to be fixed and maintained at the joint expense of the Parties.

Harbour for Ships of War to be completed in 3 years; if not, Oldenburg may claim Retrocession.

Art. X. Considering how much the essential interests of Oldenburg are concerned in the speedy fulfilment of the engagements undertaken by Prussia, the latter promises to begin immediately after the publication of the present Treaty, with the works for the establishment of a Harbour for Ships of War to the greatest possible extent; likewise to continue the works uninterruptedly till the completion of the undertaking; and to expend for this purpose at least 400,000 thalers, Prussian currency, in the first 3 years after the publication of this Treaty. Should such a sum not have been so applied within the said 3 years, Oldenburg may consider the present Treaty in so far annulled, that the Sovereignty Ceded in Article IV relapses *eo ipso* to Oldenburg, if Oldenburg declares that she desires that relapse. The same takes place if Prussia should hereafter give up the Naval Establishment.

Cession of Sovereignty not to be reclaimed by Oldenburg except in case provided for in Article X. Territory ceded to Prussia not to be transferred to any third State without consent of Oldenburg.

ART. XI. Excepting in the cases provided for in the preceding Article, the Cession of the Sovereignty over the Oldenburg Territory, the Boundaries whereof are determined in Article IV, to Prussia is irrevocable and cannot be reclaimed by Oldenburg, even by the renunciation of the Prussian Protection on the seas and of the coasts (Articles I and II). On the other hand, Prussia is by no means to transfer or concede this Sovereignty either partly or entirely to any third State, without the consent of Oldenburg.

Cession of Waters of the Jahde to Prussia.

ART. XII. The Cession of the expanse of water ensues upon the obligation which Prussia has taken upon herself, not to burden the Mercantile Shipping there with Taxes, and also not to interfere with or impede the same more than is required by the necessary regulations of Naval Police, which are to be enforced with as much forbearance as possible.*

Prussia not to form a Commercial Harbour or Commercial Town, &c.

ART. XIII. As the Cession of Territory stipulated in Article IV is solely for the purpose of forming a Harbour for Ships of War, Prussia expressly disclaims the formation, or the gradual establishment there of a Commercial Harbour or a Commercial Town, and also promises to hinder, as far as the Prussian laws at all allow the settlement of artificers and tradespeople on the spot, beyond what the wants of the Naval Establishment and the fleet may require. In the area ceded on the Eckward side, all private settlement is excluded.

Rights of Prussia over acquired Private Property.

ART. XIV. In regard to those Lands which the Crown of Prussia may acquire as Private Property within a distance of a quarter of a geographical mile from the Territory obtained in Sovereignty, her right whereto cannot be taken away even by the future legislation of Oldenburg, there is added the privilege that in respect of such Private Property, no expropriation can

* See Note, page 1161.

take place, except such as may be required for drainage works and public roads, and that the buildings found thereon may be demolished without the obligation of rebuilding them.

Oldenburg not to erect Fortifications within one Mile from Ceded Territory.

ART. XV. Considering that the extent of the area ceded to Prussia does not allow of leaving free space enough for the range of a Fortress, Oldenburg binds herself not to erect Fortifications within a distance of a geographical mile from the Boundaries of that area.

Free Passage to Prussian Ships on the Jahde.

ART. XVI. Oldenburg assures to ships going to or coming from the Prussian naval station, a Free Passage on the Jahde unincumbered and unimpeded by any Duties.

Prussian Rights to Naval Police.

ART. XVII. In like manner Oldenburg concedes to Prussia the right of Naval Police, on the roadstead between the Heppen Corner and the Eckward Horns, without prejudice to the Sovereignty abiding with Oldenburg, which right, however, Prussia promises to exercise with the greatest possible forbearance, especially in regard to Commercial Navigation and Fishery. Regulations to be agreed to by both Parties, will determine the particulars hereon.

Maintenance of Buoys, &c., by Prussia.

ART. XVIII. Oldenburg concedes to Prussia the right of deciding on the establishment and maintenance, at her own expense, of Buoys, Beacons, Lights, and other Navigation Marks required in the Jahde from the outer harbour to the open sea, exclusive of those on the Island of Wangeroge. Prussia accepts this obligation and promises to consider, as far as possible, any proposals made herein by Oldenburg for the interests of Commercial Navigation. Prussia binds herself not to levy any Dues whatever for any kind of Navigation Marks, so long as Oldenburg does not collect any Dues for the Lights on Wangeroge, and for other Navigation Marks that may be in future fixed by her in or near the Jahde.

Prussia takes the Buoying material at present on hand, at the appraised value.

Prussian Pilots on the Jahde.

ART. XIX. Prussia is at liberty to keep her own Pilots for War and Transport Vessels of all kinds, in order to employ them in the reach of the Jahde.

Quarantine and Postage to be regulated by Special Agreement.

ART. XX. It is reserved for a special agreement to regulate any participation of Prussia in the Oldenburg Quarantine establishments. What may be requisite in regard to the postal communication with the harbour establishment, shall be settled in the same way.

Use of Dry Dock by Prussia.

ART. XXI. In case Prussia should wish to make use of the Dry Dock near Brake for her navy, Oldenburg promises to enter into negotiations with the greatest possible consideration for her wishes in this respect.

Prussian Military Roads to be regulated by Special Convention.

ART. XXII. Oldenburg allows to Prussia the necessary Military Roads to and from the Ceded Territories, for those Troops and professional corps which can find accommodation there, as well as for the manning of the Prussian war and transport vessels there; that is, if not otherwise agreed, one road from the Jever side of the Jahde Bay, in the direction towards Minden, the other from the Eckward Horns to Fedderward Sluice and Great Sluice. A Special Convention,* to be entered into, will determine the stations on these Military Roads and other matters relating hereto, on the basis of the arrangements applicable to Prussian Military Roads now in existence, with the proviso, however, that the rates of allowance for Prussian Troops shall be at least as high as those paid by Oldenburg for her own Troops, in her own country.

Formation of a Highway at expense of Prussia.

ART. XXIII. Prussia receives hereby the concession of the formation of a Highway at her own expense, and in the direction hereafter to be agreed upon, to connect the naval establishment with the nearest point of the main Highway leading from Varel to Jever; and Oldenburg promises to cause proceedings to be taken for the necessary expropriation. On the other hand, Prussia

* See Supplementary Convention of 1st December, 1853.

engages to commence this Highway at the same time as the naval establishment. The Highway shall be open to the use of the public in the same manner as the Oldenburg Highways. The Tariff of Dues for this Highway is to be settled according to that in use in Oldenburg. Should the Highway Dues be generally abolished in Oldenburg, they shall also be abolished on this said Highway, as on other private Highways in the Oldenburg Territory.

ART. XXIV. *Railway Concession to Prussia for the construction of a Line from the Naval establishment at Jahde to join the Cologne and Minden Railway.*

ART. XXV. *Highways and Railroads constructed by Prussia to remain the Property of Prussia, but to be open to the use of Oldenburg and her Subjects.*

ART. XXVI. *Protection and Drainage of Dykes.*

ART. XXVII. *Removal of Highway along the Dyke to be at expense of Prussia.*

Territory ceded to Prussia separated from all Political Union and Dyke-Associations. Maintenance of Church and School Union.

ART. XXVIII. The Territory ceded to the Crown of Prussia is separated from the Political Communities of Heppen, Neuende and Eckwarden, as well as generally from all Political Union with Oldenburg communities. It is likewise separated from its connection with the respective Dyke-Associations and from the heretofore Poor-law Union. On the other hand, the respective parts of the Territory remain in the Sluice Watches, to which they have hitherto belonged, under the present Sluice Watch laws. The regulation of this relation is reserved for special agreement, upholding the principle of neighbourly co-operation, and having regard to similar existing community between Oldenburg and Hanoverian Territories. The present Church and School Union will be maintained; but Prussia has the right of separating from the Oldenburg Church and School Union, on payment of a capital sum in lieu of the Church and School dues and service hitherto rendered by the ceded Lands.

ART. XXIX. *Customs' Regulations reserved for Special Agreement.*

Arbitration in case of Difference in Interpretation of Treaty.

ART. XXX. Should differences arise between the Contracting Parties respecting the interpretation of this Treaty, they shall be

decided by the Award of the Supreme Tribunal of a third State, to be chosen by Oldenburg out of three proposed by Prussia. Should the difference be in regard to the subjects of Article XXVI, the Award is to be made in like manner by a superior professional authority.

Ratifications.

ART. XXXI. The Ratifications of this Treaty shall be exchanged within 6 weeks after its signature.

In witness whereof the present Treaty has been prepared in duplicate, has been subscribed by the Plenipotentiaries of the two Parties, and sealed with their Seals.

Done and executed at Berlin, 20th July, 1853.

(L.S.) DR. ERNST GAEBLER.
(L.S.) ALBRECHT JOHANNES THEODOR ERDMANN.

No. 234.—*TURKISH DECLARATION of War against Russia. Constantinople, 4th October*, 1853.

(Translation as laid before Parliament.*)

UNDER existing circumstances it would be superfluous to recapitulate from the commencement the narrative of the difference which has arisen between the Sublime Porte and Russia, to enter into a fresh detail of the different stages of this difference, as well as to recite the opinions and views of the Government of His Majesty the Sultan, which have been made public by the official documents published from time to time.

Notwithstanding our desire not to revert to the urgent motives which led to the modifications introduced by the Sublime Porte into the draft of note prepared at Vienna, motives which have, moreover, been previously set forth in an explanatory note, fresh representations having been made, subsequently to the refusal of Russia to accept those same modifications, in favour of the adoption of the said draft without alteration, the Ottoman Government finding it at the present time utterly impossible to adopt the draft of note in question, and being compelled to declare War, deems it to be its duty to set forth the imperative reasons of this important determination, as well as those which have constrained it to adapt its conduct in this instance to the recommendations of the Great Powers its Allies, although it has never ceased to appreciate the benevolent character of their observations.

The principal points which the Government of His Majesty the Sultan will in the first place notice, are these: that, at the outset, there was nothing in its conduct to give occasion for complaint, and that, animated with the desire of preserving peace, it has acted with a remarkable spirit of moderation and conciliation from the commencement of the difference up to the present time. It is easy to prove these facts to all who do not deviate from the paths of justice and equity.

Even though Russia might have had a ground of complaint in regard to the question of the Holy Places,† she ought to have confined her measures and representations within the limits of

* For French version, see "State Papers," vol. xlii, p. 1321.

† The first published despatch respecting the question of the Holy Places at Jerusalem, or the Rights and Privileges of the Latin and Greek Churches in Turkey, was dated 20th May, 1850. See Papers laid before Parliament in 1854, Part I.

that single question, and not put forth pretensions which the object of her claims could not bear out. Moreover, she ought not to have had recourse to measures of intimidation, such as those of sending her troops to the frontiers and of making maritime preparations at Sevastopol, in regard to a question which might have been amicably settled between the two Powers. However, it is clear that the contrary of all this has taken place.

The question of the Holy Places had been settled to the satisfaction of all parties: the Government of His Majesty the Sultan had shown itself to be favourably disposed on the subject of the assurances required as to that question, and as to certain other demands relative to Jerusalem. In fine, there was no ground for putting forward on the part of Russia any further demand. Is it not to seek occasion for War to insist, as she does, on the question of the privileges of the Greek Church which have been bestowed by the Ottoman Government, privileges which it considers it a matter of honour, of dignity, and of its sovereign authority to uphold, and in regard to which it cannot admit of the interference or supervision of any Government? Has not Russia occupied with a considerable force the Principalities of Moldavia and Wallachia,* declaring that those provinces should serve her for a guarantee until such time as she should have obtained what she requires? Was not this act justly considered by the Porte as an infraction of Treaties, and consequently as a *casus belli?* Could the other Powers themselves entertain any other opinion of it? Who, then, can doubt that Russia is the aggressor? Was it possible that the Sublime Porte, which has always observed with notorious fidelity all its Treaties, should have infringed them to such a degree as to induce Russia to adopt so violent a course as that of herself violating these Treaties? Or, have there occurred within the Ottoman Empire, in disregard of the promise explicitly recorded in the Treaty of Kainardji, such acts as the demolition of Christian churches, or have any obstacles been offered to the exercise of the Christian religion?

The Ottoman Cabinet, without wishing to enter into longer details on these points, entertains no doubt that the High Powers, its Allies, will find and consider what has been mentioned to be altogether correct and true.

In regard to the non-acceptance by the Sublime Porte of the Vienna draft of note in its unaltered form, it is to be observed

* See Note, page 1175.

that that draft, without being altogether the same as Prince Menchikoff's note, and while it comprised indeed some paragraphs of the Sublime Porte's own draft of note, does not on the whole, either in letter or in spirit, differ essentially from that of Prince Menchikoff.

The assurances recently given by the Representatives of the Great Powers in regard to the danger to be apprehended from mischievous interpretations of the draft of note in question, are a further proof of the good intentions of their respective Governments towards the Sublime Porte; they have consequently afforded lively satisfaction to the Government of His Majesty the Sultan. It is to be observed, however, that while we have still before our eyes the commencement of the question of Religious Privileges which has been raised by Russia, who seeks to rest her claim on a paragraph so clear and so precise of the Treaty of Kainardji,* to consent to record in a diplomatic document the paragraph concerning the active solicitude of the Emperors of Russia for the maintenance, within the States of the Sublime Porte, of the Immunities and Religious Privileges granted to the Greek religion by the Ottoman Emperors, before the existence even of Russia as an Empire; to leave in a state of doubt and obscurity the fact that there is no relation between these Privileges and the Treaty of Kainardji; to employ in favour of a great community of subjects of the Sublime Porte professing the Greek religion, expressions which should contain an allusion to Treaties concluded with France and Austria in regard to the French and Latin monks, would be to incur the risk of leaving at the disposal of Russia certain vague and obscure paragraphs, some of which are inconsistent with fact; it would likewise, without any doubt, offer to Russia a good ground for its claims to supervision and to Religious Protectorate, claims which she would attempt to put forward, asserting that they are by no means prejudicial to the sovereign Rights and Independence of the Sublime Porte.

The very language of the officers and agents of Russia who have declared that the intention of their Government was no other than to discharge the office of advocate with the Sublime Porte so often as proceedings contrary to the existing privileges should take place, is an evident proof of the correctness of the opinion of the Ottoman Government.

* 21st July, 1774. See Appendix.

If the Government of His Majesty the Sultan has deemed it necessary to require assurances, even should the modifications of the Vienna note* which it proposed itself have been admitted, how could it, in conscience, be at ease if the Vienna note was maintained in its integrity and without modifications? The Sublime Porte, by accepting that which it has publicly declared it would not accept without compulsion, would compromise its dignity in the estimation of the other Powers; it would sacrifice it in the estimation even of its own subjects; it would commit a moral and material suicide.

Although the refusal of Russia to acquiesce in the modifications required by the Sublime Porte was based on a question of honour, it cannot be denied that the real cause for the refusal of Russia is merely her desire not to substitute explicit terms for vague expressions, which might furnish her with a further pretext for interference. Such a conduct consequently obliges the Porte on its side to persist in its refusal.

The reasons which have decided the Ottoman Government to make its modifications having been appreciated by the Representatives of the 4 Powers, it is proved that the Sublime Porte was altogether in the right in not adopting the Vienna note without alteration.

By discussing the inconveniences presented by this note, it is not intended to criticise a draft which has obtained the assent of the Great Powers. Their efforts have always aimed at the maintenance of Peace, while desiring to preserve the rights and independence of the Imperial Government. Their proceedings in this respect being in the highest degree commendable, the Sublime Porte cannot sufficiently appreciate them. But as each Government, by reason of its own knowledge and local experience, evidently possesses greater facility than any other Government for estimating the matters which affect its own rights, the statement made by the Ottoman Government is wholly the result of its desire to justify the obligation under which, to its great regret, it finds itself, while it would have wished to continue not to deviate from the benevolent advice which from the commence-

* The draft of a Note proposed by the French Government to be addressed by the Porte to Russia, as altered at Vienna and London (known as the Vienna Note), was forwarded by the Earl of Clarendon to Lord Stratford de Redcliffe, at Constantinople, in a despatch dated 2nd August, 1853, and appears in the Latin and Greek Papers laid before Parliament in 1854, Part II.

ment of the difference has been offered to it by its Allies, and which it has followed up to the present time.

If it is alleged that the eagerness with which a draft has been framed in Europe results from the tardiness of the Sublime Porte to propose an arrangement; the Government of His Majesty the Sultan is compelled to justify itself by stating the following facts:—

Before the entrance of the Russian troops into the two Principalities.* certain of the Representatives of the Powers, influenced by the sincere desire of preventing the occupation of those Provinces, represented to the Sublime Porte the necessity of drawing up a draft in which the draft of note of the Sublime Porte and that of Prince Menchikoff should be blended together.

Subsequently, the Representatives of the Powers submitted confidentially to the Porte various plans of arrangement. None of these last meeting the views of the Imperial Government, the Ottoman Cabinet was on the point of entering into negotiations with the Representatives of the Powers in regard to a draft drawn up by itself in conformity with their suggestion. At this moment news having arrived of the passage of the Pruth by the Russians,* the aspect of the question became changed. The draft of note proposed by the Sublime Porte was necessarily laid aside; and the Cabinets, after the Protest of the Sublime Porte,† were requested to express their sentiments on this violation of Treaties.

On the one hand, the Ottoman Cabinet had to wait for the answers; and on the other, it drew up, at the suggestion of the Representatives of the Powers, a draft of arrangement which was sent to Vienna. As the only answer to all this, appeared the draft note drawn up at Vienna.

Be that as it may, the Ottoman Government, being reasonably apprehensive of anything which might imply, in favour of Russia, a Right of Intervention in Religious Matters, could do no more than give assurances calculated to dispel the doubts which had led to the discussion; and after so many preparations and sacrifices, it certainly will not accept propositions which could not be accepted during Prince Menchikoff's stay at Constantinople. Since the Cabinet of St. Petersburgh is not satisfied with the assurances

* The Russians crossed the Pruth at Souleni on the 3rd July, 1853.

† On the 14th July, 1853, the Porte protested against the occupation of the Principalities by Russia.

which have been offered to it; since the benevolent efforts of the High Powers have been fruitless; since, finally, the Porte can no longer tolerate or endure the existing state of things, as well as the prolonged occupation of the Moldo-Wallachian Principalities, which are integral parts of its Empire; the Ottoman Cabinet, with the fixed and laudable intention of defending the sacred Rights of Sovereignty and the Independence of its Government, will resort to just Reprisals against a violation of Treaties which it looks upon as a *casus belli*. It, therefore, officially makes known that the Government of His Majesty the Sultan is obliged to declare War, and that it has given the most positive instructions to his Excellency Omer Pasha to call upon Prince Gortchakoff to evacuate the Principalities, and to commence hostilities if, within 15 days after the arrival of his letter at the Russian head-quarters, a negative answer should reach him.

It is well understood that if Prince Gortchakoff's answer is in the negative, the Russian agents must quit the Ottoman dominions, and that the Commercial Relations of the respective subjects of the two Governments must be interrupted.

The Sublime Porte, however, does not consider it just that, agreeably to ancient usage, an embargo should be laid on Russian merchant-vessels. Accordingly, they will be warned to proceed, within a period to be fixed hereafter, to the Black Sea or to the Mediterranean, as they may choose. Moreover, the Imperial Government, being unwilling to interrupt the Commercial Relations of the subjects of friendly Powers, will leave the Straits open to their mercantile marine during the War.

Moharrem 1, 1270 [4th October, 1853].

No. 235.—*RUSSIAN DECLARATION of War against Turkey. Tsarskoe-Selo,* $\frac{\text{20th October}}{\text{1st November}}$, 1853.

(Translation as laid before Parliament.)

By the Grace of God, We, Nicolas I, Emperor and Autocrat of All the Russias, &c.

Make known:

By our Manifesto of the 14th June of the present year, we acquainted our well-beloved and faithful subjects with the motives which have compelled us to demand of the Ottoman Porte inviolable guarantees in favour of the sacred rights of the Orthodox Church.

We likewise announced to them that all our efforts to recall the Porte, by means of friendly persuasion, to sentiments of equity, and to the faithful observance of Treaties, had been ineffectual; and that we had consequently deemed it indispensable to advance our troops into the Danubian Principalities. But in adopting this measure we still entertained the hope that the Porte would admit its errors and would determine to conform to our just demands.

Our expectation has been deceived.

To no purpose even have the Principal Powers of Europe sought by their exhortations to shake the blind obstinacy of the Ottoman Government. It has replied to the pacific efforts made by Europe, as well as to our forbearance, by a Declaration of War (**No. 234**), and by a Proclamation replete with false accusations against Russia. Finally, embodying in the ranks of its army the Revolutionists of all countries, the Porte has commenced hostilities on the Danube.* Russia is challenged to the fight; nothing, therefore, remains for her, but, in confident reliance upon God, to have recourse to arms in order to compel the Ottoman Government to respect Treaties, and obtain from it reparation by which it has responded to our most moderate demands, and to our

* The Turkish army crossed the Danube at Widdin, and occupied Kalafat on the 3rd November, 1853.

legitimate solicitude for the defence of the Orthodox faith in the East which is equally professed by the Russian people.

We are firmly convinced that our faithful subjects will join in the fervent prayers which we address to the Most High, that His hand may be pleased to bless our arms in the holy and just cause which has ever found ardent defenders in our pious ancestors.

"In Thee, LORD, have I trusted: let me never be confounded."

Given at Tsarskoe-Selo, this 20th of October, in the year 1853, and the 28th of our Reign.

NICOLAS.

[Conferences were held at Vienna between the Representatives of Great Britain, Austria, France, and Prussia, and Protocols were signed on the 5th December, 1853; and on the 13th January, 2nd February, and 5th March, 1854; with the object of stopping the War between Russia and Turkey by Friendly Intervention, but they led to no result.]

No. 236.—*SUPPLEMENTARY ARRANGEMENT between Prussia and Oldenburg, respecting the Bay of Jahde. Signed at Berlin, 1st December, 1853.*

ART. TABLE.

Preamble. Reference to Treaty of 20th July, 1853.
1. Money Compensation for Cessions in Bay of *Jahde* to *Prussia*.
2. Term within which Money is to be Paid.
Ratifications.

Reference to Treaty of 20th July, 1853.

ON entering into the Treaty concluded on the 20th of July, 1853 (**No. 233**), between Prussia and Oldenburg, for the Protection by Prussia of the Maritime Commerce and Navigation of Oldenburg, and for the Cession by Oldenburg to Prussia of two portions of Territory in the Bay of Jahde, for the formation of a Fortified Harbour, it was agreed that Prussia, in consideration of the Cession of Territory by Oldenburg, and in addition to the obligations expressly undertaken in the said Treaty, had further to pay to Oldenburg a Compensation in cash, the precise settlement whereof was to be reserved for further negotiations, and thereafter for a Supplemental Stipulation to the principal Treaty. Now that these negotiations having been brought to a close, the Plenipotentiaries of the two Parties have agreed upon the following Supplemental Stipulation, which is to have the same duration, force, and validity as if it were contained in the principal Treaty.

Money Compensation for Cessions in Bay of Jahde to Prussia.

ART. I. The Money-compensation to be paid by Prussia to Oldenburg for the Cession of two portions of Territory in the Bay of Jahde, for the formation of a Fortified Harbour, amounts to 500,000 thalers, Prussian currency, in addition to what is expressly undertaken to be done in the Treaty of 20th July, 1853 (**No. 233**).

Term within which Money is to be Paid.

ART. II. The sum of 500,000 thalers currency is to be paid by Prussia to Oldenburg within 3 years, reckoned from the pub-

lication of the Treaty of 20th July, 1853, and is to bear interest at 4 per cent. per annum from 1st May, 1855.

Ratifications.

The foregoing Supplemental Stipulation shall be ratified by the respective Sovereigns, and the Ratifications shall be prepared within 3 weeks.

In witness whereof this present has been prepared in duplicate, has been subscribed by the Plenipotentiaries of both parties, and sealed with their Seals.

Done and executed at Berlin, 1st December, 1853.

(L.S.) DR. ERNST GAEBLER.
(L.S.) ALBRECHT JOHANNES THEODOR ERDMANN.

No. 237.—*TREATY between Great Britain, France, and Turkey, relative to Military Aid to be given to Turkey. Signed at Constantinople, 12th March, 1854.*

ART. TABLE.

Preamble.
1. Co-operation of *Great Britain* and *France* for the Defence of *Turkey* against *Russian* Aggression.
2. Proposals of Peace by *Russia* to be communicated to Contracting Parties. *Turkey* not to conclude Peace without consent of her Allies.
3. Evacuation of Ottoman Territory by *British* and *French* Troops on conclusion of Peace.
4. Movements of Auxiliary Armies not to be controlled by *Turkish* Authorities. Commanders of Auxiliary Armies to maintain discipline and respect for the Laws. Property to be respected. Plan of Campaign to be settled by the 3 Commanders-in-Chief. Demands on *Turkey* for Auxiliary Troops to be attended to.
5. Ratifications.

(Translation as laid before Parliament.*)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, having been requested by His Imperial Majesty the Sultan to assist him in repelling the Aggression which has been made by His Majesty the Emperor of All the Russias upon the territories of the Sublime Porte, an Aggression by which the Integrity of the Ottoman Empire and the Independence of the Throne of His Imperial Majesty the Sultan are menaced; and their said Majesties being fully persuaded that the existence of the Ottoman Empire in its present Limits is essential to the maintenance of the Balance of Power among the States of Europe, and having in consequence consented to afford to His Imperial Majesty the Sultan the assistance which he has requested for that purpose, it has appeared expedient to their said Majesties, and to His Imperial Majesty the Sultan, to conclude a Treaty in order to record their intentions in conformity with what has been stated above, and to regulate the manner in which their said Majesties shall afford assistance to His Imperial Majesty the Sultan. For this purpose their said Majesties and His

* For French version, see "State Papers," vol. xliv, p. 5.

Imperial Majesty the Sultan have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Stratford, Viscount Stratford de Redcliffe, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Privy Council, &c.;

His Majesty the Emperor of the French, the Count Baraguey d'Hilliers, General of Division, &c.;

And His Imperial Majesty the Sultan, Mustapha Reshid Pasha, his Minister for Foreign Affairs;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:

Co-operation of Great Britian and France for the Defence of Turkey against Russian Aggression.

Art. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, having already, at the request of His Imperial Majesty the Sultan, ordered powerful divisions of their Naval Forces to proceed to Constantinople, and to afford to the Ottoman Territory and Flag such Protection as the circumstances might admit of, their said Majesties undertake by the present Treaty still further to co-operate with His Imperial Majesty the Sultan for the defence of the Ottoman Territory in Europe and in Asia against Russian Aggression, by employing for that purpose such an amount of their Land Forces as may appear necessary to attain the said object; which Land Forces their said Majesties will immediately dispatch to such point or points of the Ottoman Territory as shall be deemed expedient; and His Imperial Majesty the Sultan agrees, that the British and French Land Forces thus sent for the Defence of the Ottoman Territory shall meet with the same friendly reception, and shall be treated with the same consideration as the British and French Naval Forces, which have for some time past been employed in the waters of Turkey.

Proposals of Peace by Russia to be communicated to Contracting Parties. Turkey not to conclude Peace without consent of her Allies.

Art. II. The High Contracting Parties severally engage to communicate to each other, without loss of time, any proposition

which any one of them may receive on the part of the Emperor of Russia, either directly or indirectly, with a view to the Cessation of Hostilities, to an Armistice, or to Peace; and His Imperial Majesty the Sultan engages, moreover, not to conclude any Armistice, nor to enter on any negotiation for Peace, and not to conclude any Preliminary of Peace, nor any Treaty of Peace, with the Emperor of Russia, without the knowledge and consent of the High Contracting Parties.

Evacuation of Ottoman Territory by British and French Troops on conclusion of Peace.

ART. III. As soon as the object of the present Treaty shall have been attained by the conclusion of a Treaty of Peace, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, will forthwith make arrangements for the immediate Withdrawal of all their Military and Naval Forces which shall have been employed to accomplish the object of the present Treaty; and all the Fortresses or Positions in the Ottoman Territory which shall have been temporarily occupied by the Military Forces of England and France, shall be delivered up to the authorities of the Sublime Ottoman Porte in the space of 40 days, or sooner if possible, after the exchange of the Ratifications of the Treaty by which the present War shall be terminated.

Movements of Auxiliary Armies not to be controlled by Turkish Authorities.

ART. IV. It is understood that the Auxiliary Armies shall retain the power of taking such part as they may deem expedient in the operations directed against the common enemy, without the Ottoman Authorities, civil or military, having any pretension to exercise the slightest control over their movements; on the contrary, every aid and facility shall be afforded to them by those authorities, especially for their landing, their march, their quarters or encampment, their subsistence and that of their horses, and their communications, whether they act together or whether they act separately.

Commanders of Auxiliary Armies to maintain Discipline and respect for the Laws.

It is understood, on the other hand, that the Commanders of

the said Armies undertake to maintain the strictest Discipline in their respective Troops, and shall cause them to respect the Laws and usages of the country.

Property to be respected.

As a matter of course, Property shall be everywhere respected.

Plan of Campaign to be settled by the 3 Commanders-in-Chief.

It is moreover understood, on either side, that the general Plan of Campaign shall be discussed and settled between the Commanders-in-Chief of the 3 Armies, and that if any considerable portion of the Allied troops should be acting in conjunction with the Ottoman troops, no operation shall be undertaken against the enemy without its having been previously concerted with the Commanders of the Allied Forces.

Demands on Turkey for Auxiliary Troops to be attended to.

Finally, attention shall be paid to any demand relative to the wants of the service which may be addressed by the Commanders-in-Chief of the Auxiliary Troops, either to the Ottoman Government through their respective Embassies, or, in case of urgency, to the local authorities, unless insuperable objections, to be clearly explained, should prevent compliance with such demands.

*Ratifications.**

Art. V. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Constantinople in the space of 6 weeks, or sooner if possible, from the day of signature.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done in triplicate, for one and the same purpose, at Constantinople, the 12th day of March, 1854.

(L.S.) STRATFORD DE REDCLIFFE.
(L.S.) BARAGUEY D'HILLIERS.
(L.S.) RESHID.

* Ratifications exchanged at London, 25th April, 1854.

No. 238.—*MESSAGE from Her Britannic Majesty to both Houses of Parliament on the Outbreak of War with Russia. 27th March,* 1854.

VICTORIA REGINA.

HER Majesty thinks it proper to acquaint the House of Lords / Commons that the negotiations in which Her Majesty, in concert with Her Allies, has for some time past been engaged, with His Majesty the Emperor of All the Russias, have terminated, and that Her Majesty feels bound to afford active assistance to Her Ally the Sultan against unprovoked Aggression.

Her Majesty has given directions for laying before the House of Lords / Commons copies of such papers, in addition to those already communicated to Parliament, as will afford the fullest information with regard to the subject of these Negotiations. It is a consolation to Her Majesty to reflect that no endeavours have been wanting on her part to preserve to Her subjects the blessings of Peace.

Her Majesty's just expectations have been disappointed, and Her Majesty relies with confidence on the zeal and devotion of the House of Lords, / Her faithful Commons, and on the exertions of Her brave and loyal subjects, to support Her in Her determination to employ the Power and Resources of the Nation for protecting the Dominions of the Sultan against the Encroachments of Russia.

V. R.

No. 239.—*MESSAGE of the Emperor of the French to the Senate and Legislative Assembly, relative to the War with Russia. Paris, 27th March,* 1854.

(Translation.*)

War with Russia.

The Government of the Emperor and that of Her Britannic Majesty, had declared to the Cabinet of St. Petersburgh that, should the Differences with the Sublime Porte not be restricted within purely Diplomatic Limits, and that, should the Evacuation of the Principalities of Moldavia and Wallachia not be immediately commenced and completed by a fixed date, they would be compelled to consider an answer in the negative or silence as a Declaration of War.

The Cabinet of St. Petersburgh having decided not to answer the above communication,† the Emperor desires to inform you of that resolution, which constitutes Russia in a state of War with us, the responsibility of which rests entirely on that Power.

By order of the Emperor,
ACHILLE FOULD,
The Minister of State.

* For French version, see "State Papers," vol. xlvi, p. 241.
† See note, p. 1191.

No. 240.—*BRITISH DECLARATION of the Causes of War against Russia. 28th March*, 1854.

It is with deep regret that Her Majesty announces the failure of her anxious and protracted endeavours to preserve for her people and for Europe the blessings of Peace.

The unprovoked aggression of the Emperor of Russia against the Sublime Porte has been persisted in with such disregard of consequences, that after the rejection by the Emperor of Russia of terms which the Emperor of Austria, the Emperor of the French, and the King of Prussia, as well as Her Majesty, considered just and equitable, Her Majesty is compelled, by a sense of what is due to the honour of her Crown, to the interests of her people, and to the Independence of the States of Europe, to come forward in defence of an Ally whose territory is invaded and whose dignity and independence are assailed.

Her Majesty, in justification of the course she is bound to pursue, refers to the transactions in which Her Majesty has been engaged.

The Emperor of Russia had some cause of complaint against the Sultan with reference to the settlement, which His Highness had sanctioned, of the conflicting claims of the Greek and Latin Churches to a portion of the Holy Places of Jerusalem and its neighbourhood. To the complaint of the Emperor of Russia on this head, justice was done; and Her Majesty's Ambassador at Constantinople had the satisfaction of promoting an arrangement to which no exception was taken by the Russian Government.

But while the Russian Government repeatedly assured the Government of Her Majesty that the mission of Prince Menchikoff to Constantinople was exclusively directed to the settlement of the question of the Holy Places at Jerusalem, Prince Menchikoff himself pressed upon the Porte other demands of a far more serious and important character, the nature of which he in the first instance endeavoured, as far as possible, to conceal from Her Majesty's Ambassador. And these demands, thus studiously concealed, affected not the privileges of the Greek Church at Jerusalem, but the position of many millions of Turkish subjects in their relations to their Sovereign the Sultan.

These demands are rejected by the spontaneous decision of the Sublime Porte.

Two assurances had been given to Her Majesty; one, that the Mission of Prince Menchikoff only regarded the Holy Places; the other, that his Mission would be of a conciliatory character.

In both respects Her Majesty's just expectations were disappointed.

Demands were made which, in the opinion of the Sultan, extended to the substitution of the Emperor of Russia's authority for his own over a large portion of his subjects; and those demands were enforced by a threat; and when Her Majesty learnt that, on announcing the termination of his Mission, Prince Menchikoff declared that the refusal of his demands would impose upon the Imperial Government the necessity of seeking a guarantee by its own power, Her Majesty thought proper that her fleet should leave Malta, and, in co-operation with that of His Majesty the Emperor of the French, take up its station in the neighbourhood of the Dardanelles.

So long as the negotiation bore an amicable character Her Majesty refrained from any demonstration of force. But when, in addition to the assemblage of large military forces on the frontier of Turkey, the Ambassador of Russia intimated that serious consequences would ensue from the refusal of the Sultan to comply with unwarrantable demands, Her Majesty deemed it right, in conjunction with the Emperor of the French, to give an unquestionable proof of her determination to support the sovereign rights of the Sultan.

The Russian Government has maintained that the determination of the Emperor to occupy the Principalities was taken in consequence of the advance of the fleets of England and France. But the menace of invasion of the Turkish Territory was conveyed in Count Nesselrode's Note to Reshid Pacha, of May $\frac{19}{31}$, and restated in his despatch to Baron Brunnow, of $\frac{\text{May } 20,}{\text{June } 1,}$ which announced the determination of the Emperor of Russia to order his troops to occupy the Principalities, if the Porte did not within a week comply with the demands of Russia.

The despatch to Her Majesty's Ambassador at Constantinople, authorising him, in certain specified contingencies, to send for the British fleet, was dated the 31st May, and the order sent direct

from England to Her Majesty's Admiral to proceed to the neighbourhood of the Dardanelles, was dated the 2nd of June.

The determination to occupy the Principalities was therefore taken before the orders for the advance of the combined squadrons were given.

The Sultan's Minister was informed, that unless he signed within a week, and without the change of a word, the note proposed to the Porte by Prince Menchikoff, on the eve of his departure from Constantinople, the Principalities of Moldavia and Wallachia would be occupied by Russian troops. The Sultan could not accede to so insulting a demand; but when the actual occupation of the Principalities took place, the Sultan did not, as he might have done in the exercise of his undoubted right, declare War, but addressed a Protest to his Allies.

Her Majesty, in conjunction with the Sovereigns of Austria, France, and Prussia, has made various attempts to meet any just demands of the Emperor of Russia without affecting the dignity and independence of the Sultan; and had it been the sole object of Russia to obtain security for the enjoyment by the Christian subjects of the Porte of their privileges and immunities, she would have found it in the offers that have been made by the Sultan. But as that security was not offered in the shape of a special and separate stipulation with Russia, it was rejected. Twice has this offer been made by the Sultan, and recommended by the 4 Powers, once by a note originally prepared at Vienna, and subsequently modified by the Porte, once by the proposal of bases of negotiation agreed upon at Constantinople on the 31st of December, and approved at Vienna on the 13th of January, as offering to the two parties the means of arriving at an understanding in a becoming and honourable manner.

It is thus manifest that a right for Russia to interfere in the ordinary relations of Turkish subjects to their Sovereign, and not the happiness of Christian communities in Turkey, was the object sought for by the Russian Government; to such a demand the Sultan would not submit, and His Highness, in self-defence, declared War upon Russia (**No. 234**); but Her Majesty nevertheless, in conjunction with her Allies, has not ceased her endeavours to restore Peace between the contending parties.

The time has, however, now arrived when the advice and remonstrances of the 4 Powers having proved wholly ineffectual, and the military preparations of Russia becoming daily more

extended, it is but too obvious that the Emperor of Russia has entered upon a course of policy which, if unchecked, must lead to the destruction of the Ottoman Empire.

In this conjuncture, Her Majesty feels called upon by regard for an Ally, the Integrity and Independence of whose Empire have been recognised as essential to the Peace of Europe, by the sympathies of her people with right against wrong, by a desire to avert from her dominions most injurious consequences, and to save Europe from the preponderance of a Power which has violated the faith of Treaties, and defies the opinion of the civilised world, to take up Arms, in conjunction with the Emperor of the French, for the defence of the Sultan.

Her Majesty is persuaded that in so acting she will have the cordial support of her people; and that the pretext of zeal for the Christian Religion will be used in vain to cover an aggression undertaken in disregard of its Holy precepts and of its pure and beneficent spirit.

Her Majesty humbly trusts that her efforts may be successful, and that, by the blessing of Providence, Peace may be re-established on safe and solid foundations.

Westminster, 28th March, 1854.

No. 241.—*PROTOCOL of Conference between Great Britain, Austria, France, and Prussia, for the Maintenance of the Integrity of the Ottoman Empire.** *Vienna, 9th April*, 1854.

(Translation as laid before Parliament.†)

Present: The Representatives of Austria, France, Great Britain, and Prussia.

(Extract.)

At the request of the Plenipotentiaries of France and of Great Britain, the Conference met to hear the documents read which establish that the invitation addressed to the Cabinet of St. Petersburgh to evacuate the Moldo-Wallachian Provinces within a fixed time having remained unanswered,‡ the state of War already declared between Russia and the Sublime Porte is in actual existence equally between Russia, on the one side, and France and Great Britain, on the other.

This change which has taken place in the attitude of two of the Powers represented at the Conference of Vienna, in consequence of a step taken directly by France and England, supported by Austria and Prussia as being founded in right, has been considered by the Representatives of Austria and Prussia as involving the necessity of a fresh Declaration of the Union of the 4 Powers upon the ground of the principles laid down in the Protocols of the 5th December, 1853, and the 13th January, 1854.

In consequence, the Undersigned have at this solemn moment declared that their Governments remain united in the double object of maintaining the Territorial Integrity of the Ottoman Empire, of which the fact of the Evacuation of the Danubian Principalities is and will remain one of the essential conditions; and of consolidating in an interest so much in conformity with the sentiments of the Sultan, and by every means compatible with his Independence and Sovereignty, the Civil and Religious Rights of the Christian subjects of the Porte.

* Referred to in Treaty of 2nd December, 1854.

† For French version, see "State Papers," vol. xliv, p. 82.

‡ The British Note was delivered to Count Nesselrode by the British Consul at St. Petersburgh, on the 14th March, 1854; and on the 19th of the same month Count Nesselrode informed him that "the Emperor did not think it becoming in him to give any reply to Lord Clarendon."

[Integrity of Turkey.]

The Territorial Integrity of the Ottoman Empire is and remains the *sine quâ non* condition of every transaction having for its object the re-establishment of Peace between the Belligerent Powers; and the Governments represented by the Undersigned engage to endeavour in common to discover the Guarantees most likely to attach the existence of that Empire to the general equilibrium of Europe; as they also declare themselves ready to deliberate and to come to an understanding as to the employment of the means calculated to accomplish the object of their agreement.

Whatever event may arise in consequence of this Agreement, founded solely upon the general interests of Europe, and of which the object can only be attained by the return of a firm and lasting Peace, the Governments represented by the Undersigned reciprocally engage not to enter into any Definitive Arrangement with the Imperial Court of Russia, or with any other Power, which would be at variance with the principles above enunciated, without previously deliberating thereon in common.

BUOL-SCHAUENSTEIN.
BOURQUENEY.
WESTMORLAND.
ARNIM.

No. 242.—*CONVENTION between Great Britain and France, relative to Military Aid to be given to Turkey. Signed at London, 10th April, 1854.**

ART. TABLE.

Preamble.
1. Measures for the Re-establishment of Peace.
2. Naval and Military Assistance to *Turkey*.
3. Contracting Parties not to enter into Arrangements with *Russia* without previous deliberation.
4. Contracting Parties Renounce the Acquisition of any Advantages.
5. Admittance of *European* Powers into Alliance.
6. Ratifications.

(English Version.†)

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, and the Emperor of the French, having determined to afford their support to His Majesty the Sultan Abdul Medjid, Emperor of the Ottomans, in the War in which he is engaged against the Aggressions of Russia; and being, moreover, compelled, notwithstanding their sincere and persevering efforts for the maintenance of Peace, to become themselves belligerent parties in a War which, without their active intervention, would have threatened the existing Balance of Power in Europe, and the interests of their own dominions; have, in consequence, resolved to conclude a Convention in order to determine the object of their Alliance, as well as the means to be employed in common for fulfilling that object; and have for that purpose named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the Emperor of the French, the Sieur Alexander Colonna, Count Walewski, his Ambassador to Her Britannic Majesty, &c.:

* Acceded to by Sardinia, on the 26th January, 1855.

† For French Version, see "State Papers," vol. xliv, p. 8.

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

Measures for the re-establishment of Peace.

ART. I. The High Contracting Parties engage to do all that shall depend upon them for the purpose of bringing about the re-establishment of Peace between Russia and the Sublime Porte on solid and durable bases, and of preserving Europe from the recurrence of the lamentable complications which have now so unhappily disturbed the general Peace.

Naval and Military Assistance to Turkey.

ART. II. The Integrity of the Ottoman Empire being violated by the Occupation of the Provinces of Moldavia and of Wallachia, and by other movements of the Russian troops, their Majesties the Queen of Great Britain and Ireland and the Emperor of the French have concerted, and will concert together, as to the most proper means for liberating the Territory of the Sultan from Foreign Invasion, and for accomplishing the object specified in Article I. For this purpose they engage to maintain, according to the requirements of the War, to be judged of by common agreement, sufficient Naval and Military Forces to meet those requirements, the description, number, and destination whereof shall, if occasion should arise, be determined by subsequent Arrangements.

Contracting Parties not to enter into Arrangements with Russia without previous deliberation.

ART. III. Whatever events may arise from the execution of the Present Convention, the High Contracting Parties engage not to entertain any Overture or any Proposition having for its object the Cessation of Hostilities, nor to enter into any Arrangement with the Imperial Court of Russia, without having first deliberated thereupon in common.

Contracting Parties renounce the Acquisition of any Advantages.

ART. IV. The High Contracting Parties being animated with a desire to maintain the Balance of Power in Europe, and having no interested ends in view, renounce beforehand the Acquisition

of any Advantage for themselves from the events which may occur.

Admittance of European Powers into Alliance.

ART. V. Their Majesties the Queen of the United Kingdom of Great Britain and Ireland and the Emperor of the French will readily admit into their Alliance, in order to co-operate for the proposed object, such of the other Powers of Europe as may be desirous of becoming party to it.*

Ratifications.†

ART. VI. The present Convention shall be ratified, and the Ratifications shall be exchanged at London within 8 days.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 10th day of April, in the year of Our Lord, 1854.

(L.S.) CLARENDON.
(L.S.) A. WALEWSKI.

* See Convention between Great Britain, France, and Sardinia of 26th January, 1855.

† Ratifications exchanged at London, 15th April, 1854.

No. 243.—*PROTEST addressed by the Servian Government to the Sublime Porte, against the Occupation of that Principality by Austrian Troops. Belgrade, $\frac{5}{17}$th April,* 1854.

(Translation as laid before Parliament.*)

Since the commencement of the War which has broken out between the Sublime Porte and the Court of Russia (**No. 234**), Austria has assumed towards Servia an attitude which, while it left an expectant character to the policy of this Power, tended to give it the means of disposing at its will of the action of Servia. According as Austria believed the Servian Government to be more or less well disposed towards Russia or towards Turkey, she held to it a language conformable to these supposed sentiments, and constantly promised it her support for the defence of the frontiers of the Principality against all hostile aggression.

By means of this policy, put in operation chiefly by the Representative of Austria at Belgrade, and so constantly followed up that it has even been remarked by the Representatives of the other Powers in this Principality, Austria believed that she was already in possession of the unlimited confidence of the Servian Government, and either to give more weight to her policy and the better to assure the success of her views, or to put herself in a position to give more force to her assurances, whatever they might be, to any one or other of the great European Powers, the Cabinet of Vienna ordered, some time ago, a very considerable concentration of Troops on the Frontiers of Servia.

The Government of the Principality, justly disturbed by these Military Demonstrations, which were not provoked by any act on the part of Servia, and which neither the state of affairs in that country, more pacific and reassuring than ever, nor the relations of Servia with the Sublime Porte and the Powers in alliance with it justified, sought for information directly from the Cabinet of Vienna, and indirectly from the Sublime Porte, as to the object and meaning of these military movements of Austria.

These measures have not succeeded in enlightening us as to

* For French version, see "State Papers," vol. xlv, p. 1174.

the situation in which they wished to place us. Whilst the organs, more or less direct, of the Cabinet of Vienna made us sensible that Austria was doing nothing, and did not intend to do anything, with regard to Servia without the previous consent of the Suzerain Court, the Sublime Porte replied to the Kapou Kehaja of Servia, that Austria left them in ignorance of the object of the Military Preparations in question, and that no agreement nor understanding were established on this subject between the two Powers. Neither did the Representatives of France and Great Britain at Constantinople give us more satisfactory assurances on this subject. In the interviews with which they honoured the Kapou Kehaja of Servia, they at one time did not appear to believe in the reality of such serious demonstrations, and of the tendency which we have always attributed to them; at another time they shared our own uncertainty and the anxieties which resulted from it. The Pasha of Belgrade remained without instructions, or, to speak more correctly, he remained provided with the old instructions which had formerly been given to him, and in virtue of which he was to consider any Military Intervention of Austria in Servia as a hostile attempt directed against the Ottoman Empire itself, and as such to repel it with all his power.

The conduct of Austria with regard to the general question of the existing War having perhaps taken a turn more favourable to the intentions of the Western Powers, the Cabinets of Paris and London gave the Servian Government, through the medium of their Agents at Belgrade, satisfactory assurances on the subject of the disposition of Austria. About the same time, the Cabinet of Vienna made known to the Servian Government that the Military Measures in question had nothing in them hostile to Servia; that in directing them, the object of Austria was only to put herself in a position to protect her own Frontiers, and that she would not interpose in Servia unless the Russian troops entered it, or revolts against legitimate authority broke out there; that consequently even in that case she would interpose as a friend, and in order to lend assistance to the Government and to legitimate authority.

This step of Austria, while it determined the cases in which this Power intended to interpose in Servia, was not of a nature to dispel all our anxieties. In the first place, we did not find in it any guarantee against an arbitrary intervention undertaken without motive and without real necessity, and abounding in dangers

and fatal consequences to Servia. In the second place, we saw in it an isolated action of Austria, who, under the pretext of acting in co-operation with the general policy of Europe and in support of the Ottoman Empire, created for herself the means of invading Servia, and of causing in that Principality by her unjust and aggressive behaviour that very disorder, that very confusion, and that very desolation, which it is particularly the interest of the Ottoman Empire, as it is that of the Powers allied to it, to prevent, and the dangers of which the Government and nation of Servia would devote themselves with all their efforts to keep off from their country.

In anticipation of such serious eventualities, and while continuing to receive from Constantinople news quite in contradiction to the avowed object of Austria; seeing, moreover, that the Military Preparations of Austria assumed day by day a more threatening aspect and were pushed to a point beyond which nothing remained but their immediate execution, the Servian Government, in concert with His Excellency Izzet Pasha, resolved to take active steps at Vienna and Constantinople, to ascertain accurately on what we were to rely in this respect, and to resist, where we could rightly do so, every combination which should make Austria the arbiter of the present destinies of Servia. This was the object of Azzir Pasha's mission to Vienna. This person is now at Constantinople, and will have given a detailed report of what he did at Vienna to the Government of His Majesty the Sultan.

While waiting for the diplomatic solution of this question, the Government of the Principality, admirably seconded by His Excellency Izzet Pasha, has ordered all the measures necessary for the defence of the country from a hostile aggression.

At the point which we have now reached in this matter, the object is to ascertain if Austria can succeed in obtaining the consent of the Sublime Porte to a measure unjust and prejudicial to so many interests which are common to, and equally dear to the Principality and to the Empire of which that country forms part. As to an Intervention undertaken without the consent of the Porte, there is little chance that, under existing circumstances, Austria should dream of it unless she wishes to declare openly for Russia against the Sublime Porte and its Allies.

Austria puts forward two reasons which might authorise her Military Intervention in Servia. 1. The entrance of the Russians; 2. The breaking out of an internal Insurrection in Servia.

[Austrian Occupation of Servia.]

1. If the Russians enter Servia, the co-operation of Austria against Russia ought to form part of the combined measures which the Powers allied to the Sublime Porte are called upon to employ for the defence of the Ottoman Empire, and which we are not to determine. It is scarcely probable that the case of the entry of the Russians into Servia should occur; if we may rely on the assurances which Baron Meyendorff has given to Count Buol, Russia has declared her intention not to enter Servia; and it appears more easy to acknowledge this, since the theatre of War and the line of operations for the Russian troops are without that already on too great a scale for their further extension to be thought of. But even admitting that the Russians should attempt to enter Servia—which would not be easily effected, considering the resistance which would be offered to them on the part both of the Servian and Turkish troops—we can boldly affirm that the entry of the Austrians would, in that case, be an extremely unfortunate measure, and one which might lead to a number of complications.

Any auxiliary troops whatever would be preferable to those of Austria. The Servian nation has so decided a mistrust, if not a hatred, of Austria, that the entrance of the Austrians into Servia would be immediately considered by every one as so imminent a danger, so great a misfortune, that all the proceedings of the Servians would be directed against the Austrian troops, all the energy of the nation would be employed in resisting those enemies in whom is always supposed to be personified that cupidity which urges Austria to seek to exercise in Servia, no matter under what patronage, an egotistic influence. In the same degree as the co-operation of the Austrians might be useful to the cause of the Sublime Porte, if it was given at a suitable time and place, would it beget difficulties and complications, if, despite of all that has been said, it were displayed in Servia.

2. As far as concerns internal Insurrections, we fear them now less than ever. The whole nation is perfectly convinced that its most precious interests impose upon it the maintenance of tranquillity and order, and the avoidance of anything that could involve it in the War, and turn Servia into a battle-field. Filled with a deep gratitude to the Suzerain Court for the privileges which have been so graciously confirmed to them, and for the attitude which they have been allowed to hold during this War, the Government and people of Servia are too much alive to their

own interests and too much attached to the happiness of their country to hesitate a moment as to the line of conduct to be followed. Their consciousness of their own situation will preserve them, better than any threats whatever, from all false and injurious measures.

In other respects, since the War has broken out, has not Servia sufficiently shown that she both knows, and will remain faithful to, her duties and obligations? Notwithstanding all that may have been said, she has never ceased following a line of conduct, retiring, it is true, but loyal and conformable to her engagements. Neither will she henceforward deviate from this line of conduct. The Sublime Porte may be perfectly sure of this.

All that the Servian Government requires, is to be honoured henceforth with the same confidence which the Suzerain Court has hitherto shown it, and not to see its country given over to Austrian occupation, which would be the signal for, and the commencement of incalculable misfortunes. On this condition the Servian Government fully answers for the maintenance of tranquillity and public order in Servia. If even isolated disturbances (which may happen at any time, and under any circumstances) were to break out anywhere, the Government is capable of repressing and quelling them before any importance could be attached to them.

The Kapou Kehaja of Servia has already, on several occasions, been instructed to communicate with His Highness Reshid Pasha on this matter; and, although he has had the honour of already submitting to His Highness the greater part of the reasons and considerations herein set forth, which otherwise could not have escaped the penetration of the Sublime Porte, and which make us hope that the Suzerain Court will in no case recognise in Austria a power the mere claim to which ought to expose her to suspicion, the Servian Government has, nevertheless, thought it its duty to submit to the enlightened attention of His Highness the Minister for Foreign Affairs an accurate Memorandum on this important affair, the decision of which affects so many questions, as essential to the honour, the dignity, and the interests of the Sublime Porte as to the tranquillity and happiness of the Servian nation.

Belgrade, $\frac{5}{17}$th April, 1854.

No. 244.—*TREATY OF ALLIANCE, Offensive and Defensive, between Austria and Prussia. Signed at Berlin, 20th April,* 1854.

ART. TABLE.

Preamble.
1. Mutual Guarantee of their German and non-German States.
2. Preservation of Rights and Interests of *Germany*. Special Agreement to be concluded respecting Mutual Protection of Territory in certain eventualities.
3. Armed Force to be kept on War Footing, to act in case of necessity.
4. Governments of Germanic Confederation* to be invited to accede to Alliance.
5. High Contracting Parties not to conclude a separate Alliance with other Powers.
6. Ratifications.

Additional Article.

Aggression on Territories of the Contracting Parties to be repelled by Military Forces of the other.
Cases in which Offensive Advance only shall be made.
Ratifications.

(Translation.†)

His Majesty the Emperor of Austria and His Majesty the King of Prussia, impressed with the deepest regret at the failure of the efforts which they had made up to the present time to prevent the War between Russia, on the one part, and Turkey, France, and Great Britain on the other;

Faithful to the moral engagements which they contracted in signing the Protocols of Vienna;

In presence of the ever-increasing developments made, on both sides, by military measures, and the dangers arising therefrom to the Peace of Europe;

Convinced of the high mission which, on the approach of a disastrous future, and in the interest of European well-being, is imposed on Germany, closely united to their respective States;

Have resolved to conclude, for so long as the War, which has just broken out between Russia, on the one part, and Turkey, Great Britain, and France, on the other, shall last, an Offensive

* Acceded to by Germanic Confederation on the 24th July, 1854.
† For French version, see "State Papers, vol. xliv," p. 84.

and Defensive Alliance, and have appointed as their Plenipotentiaries to that effect, namely:

His Majesty the Emperor of Austria, Baron Henry de Hess, his Actual Intimate Councillor, &c.; and Count Frederic de Thun-Hohenstein, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Prussia, &c.;

And His Majesty the King of Prussia, Baron Othon Theodor Manteuffel, his President of the Council of Ministers and his Minister for Foreign Affairs, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed upon the following Articles:

ARTS. I to VI. (See Table.)

Done at Berlin, 20th April, 1854.

(L.S.) HENRY BON. DE HESS.
(L.S.) F. THUN.
(L.S.) BON. OTH. THEODOR MANTEUFFEL.

ADDITIONAL ARTICLE.

(Translation.)

ACCORDING to the conditions of Article II of the Treaty concluded this day between His Imperial Majesty the Emperor of Austria and His Majesty the King of Prussia for the establishment of an Offensive and Defensive Alliance, a more intimate understanding with respect to the eventuality when an active advance of one of the High Contracting Parties may impose on the other the obligation of a mutual Protection of the Territory of both, was to form the subject of a Special Agreement to be considered as an integral part of the Treaty.

Their Majesties have not been able to divest themselves of the consideration that the indefinite continuance of the Occupation of the Territories on the Lower Danube, under the Sovereignty of the Ottoman Porte, by Imperial Russian troops, would endanger the political, moral, and material interests of the whole German Confederation, as also of their own States, and the more so in proportion as Russia extends her warlike operations on Turkish Territory.

The Courts of Austria and Prussia are united in the desire to avoid every participation in the War which has broken out

between Russia, on the one hand, and Turkey, France, and Great Britain, on the other, and at the same time to contribute to the restoration of general Peace. They more especially consider the Declarations lately made at Berlin by the Court of St. Petersburgh, to be an important element of pacification, the failure of the practical influence of which they would view with regret. According to these Declarations, Russia appears to regard the original motive for the Occupation of the Principalities as removed by the concessions now granted to the Christian subjects of the Porte,* which offer the prospect of realisation. They therefore hope that the replies awaited from the Cabinet of Russia to the Prussian propositions, transmitted on the 8th, will offer to them the necessary Guarantee for an early withdrawal of the Russian troops. In the event that this hope should be illusory, the Plenipotentiaries named, on the part of His Majesty the Emperor of Austria, Freiherr Baron von Hess and Count Thun, and on the part of His Majesty the King of Prussia, Baron Manteuffel, have drawn up the following more detailed Agreement with respect to the eventuality alluded to in the above-mentioned Article II of the Treaty of Alliance of this day:

Aggression on Territories of one of the Contracting Parties to be repelled by Military Forces of the other.

Single Article.—The Imperial Austrian Government will also on their side address a communication to the Imperial Russian Court with the object of obtaining from the Emperor of Russia the necessary orders that an immediate stop should be put to the further advance of his Armies upon the Turkish Territory, as also to request of His Imperial Majesty sufficient Guarantees for the prompt Evacuation of the Danubian Principalities; and the Prussian Government will again in the most emphatic manner, support these communications with reference to their proposals already sent to St. Petersburgh. Should the answer of the Russian Court to these steps of the Cabinets of Vienna and Berlin—contrary to expectation—not be of a nature to give them entire satisfaction upon the two points afore-mentioned, the measures to be taken by one of the Contracting Parties for their attainment, according to the terms of Article II of the Offensive

* A Turkish Firman upon this subject was issued in June, 1853. See also Firman of 18th February, 1856, and General Treaty of Peace of 30th March, 1856 (Art. IX).

and Defensive Alliance signed on this day, will be on the understanding that every hostile attack on the Territory of one of the Contracting Parties is to be repelled with all the Military Forces at the disposal of the other.

Cases in which Offensive Advance only shall be made.

But a mutual Offensive Advance is stipulated for only in the event of the incorporation of the Principalities, or in the event of an attack on or passage of the Balkan by Russia.

Ratifications.

The present Convention shall be submitted for the Ratification of the High Sovereigns simultaneously with the above-mentioned Treaty.

Done at Berlin, the 20th April, 1854.

(L.S.) HESS. (L.S.) MANTEUFFEL.
(L.S.) THUN.

No. 245.—*RUSSIAN MANIFESTO relative to the War with Great Britain, France, and Turkey. St. Petersburgh,* $\frac{11\text{th}}{23\text{rd}}$ *April,* 1854.

(Translation.*)

By the Grace of God, We, Nicolas I, Emperor and Autocrat of All the Russias, King of Poland, &c.

To all our Faithful Subjects make known:

From the very beginning of our Dispute with the Turkish Government, we solemnly announced to our Faithful Subjects that a feeling of justice had alone induced us to re-establish the injured Rights of Orthodox Christians, subjects of the Ottoman Porte.

We have not sought, we do not seek, to make conquests, or to exercise in Turkey any supremacy whatever which was of such a nature as to exceed the influence belonging to Russia by virtue of existing Treaties.

At the onset we met with mistrust, soon after with secret hostility on the part of the Governments of France and England, who strove to mislead the Porte, by misinterpreting our intentions. At last, England and France now throw off the mask, consider our differences with Turkey as but a secondary question, and no more dissemble that their common aim is to weaken Russia, to snatch from her a part of her Possessions, and to make our Country fall from the powerful position to which the hand of the Almighty had elevated her.

Is orthodox Russia to fear such threats?

Ready to confound the audacity of the enemy, shall she deviate from the sacred aim assigned to her by Divine Providence? No! Russia has not forgotten God! It is not for worldly interests that she has taken up arms; she fights for the Christian Faith, for the defence of her co-religionists oppressed by implacable enemies.

Let the whole Christian world know, then, that the opinion of the Sovereign of Russia is the opinion which animates and inspires the whole family of the Russian People—that orthodox

* For French version, see "State Papers," vol. xlvi, p. 382.

Nation, faithful to God, and to His only Son Jesus Christ, Our Redeemer.

It is for the Faith and Christianity that we fight.

Nobiscum Deus—quis contra nos?

Given at St. Petersburgh, the 11th day of the month of April of the year of Grace, 1854, and of our reign the 29th.

NICOLAS.

[War with Russia.]

No. 246.—*CONVENTION between Great Britain and France, relative to Joint Captures. Signed at London, 10th May, 1854.**

ART. TABLE.

Preamble.
1. Adjudication of Joint Captures.
2. Adjudication. Captures by Cruizer of one Country in sight of Cruizer of the other.
3. Adjudication of Captured Merchant Vessels.
4. Distribution of Prize Money.
5. Instructions as to Delivering up of Prizes.
6. Valuation of a Captured Vessel of War.
7. Treatment of Crews of Captured Vessels.
8. Ratifications.

ANNEX.—*Instructions to the Commanders of Ships of War belonging to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and to His Majesty the Emperor of the French.*

(English Version.†)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, being desirous to determine the jurisdiction to which the adjudication of Joint Captures which may be made during the course of the present War by the Naval Forces of the two Nations, shall belong, or of Captures which may be made of Merchant Vessels belonging to subjects of either of the two Countries by the Cruizers of the other, and being desirous to regulate at the same time the mode of distribution of the proceeds of Joint Captures, have named as their Plenipotentiaries for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the Emperor of the French, the Sieur Alexander Colonna, Count Walewski, his Ambassador to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in due form, have agreed upon the following Articles:

* Acceded to by Sardinia and Turkey on the 15th November, 1855. See also Declaration of 10th July, 1855.

† For French version see "State Papers," vol. xliv, p. 11.

Adjudication of Joint Captures.

ART. I. When a Joint Capture shall be made by the Naval Forces of the two Countries, the Adjudication thereof shall belong to the Jurisdiction of the Country whose Flag shall have been borne by the officer having the superior command in the action.

Adjudication. Captures by Cruizer of one Country in sight of Cruizer of the other.

ART. II. When a Capture shall be made by a Cruizer of either of the two Allied Nations in the presence and in the sight of a Cruizer of the other, such Cruizer having thus contributed to the intimidation of the enemy and encouragement of the Captor, the Adjudication thereof shall belong to the Jurisdiction of the actual Captor.

Adjudication of Captured Merchant Vessels.

ART. III. In case of the Capture of a Merchant Vessel of one of the two Countries, the Adjudication of such Capture shall always belong to the Jurisdiction of the Country of the Capturing Vessel: the Cargo shall be dealt with, as to the Jurisdiction, in the same manner as the Vessel.

Distribution of Prize Money.

ART. IV. In case of condemnation under the circumstances described in the preceding Articles:

1. If the Capture shall have been made by Vessels of the two Nations whilst acting in conjunction, the net proceeds of the Prize, after deducting the necessary expenses, shall be divided into as many Shares as there were men on board the capturing Vessels, without reference to rank, and the Shares belonging to the men on board the Vessels of the Ally shall be paid and delivered to such person as may be duly authorised on behalf of the Allied Government to receive the same; and the distribution of the amount belonging to each Vessel shall be made by each Government according to the Laws and Regulations of the Country.

2. If the Capture shall have been made by Cruizers of either of the two Allied Nations in the presence and in sight of a Cruizer of the other, the division, the payment, and the distribution of the net proceeds of the Prize, after deducting the necessary expenses, shall likewise be made in the manner above mentioned.

3. If a Capture, made by a Cruizer of one of the two Countries,

shall have been adjudicated by the Courts of the other, the net proceeds of the Prize, after deducting the necessary expenses, shall be made over in the same manner to the Government of the Captor, to be distributed according to its Laws and Regulations.

Instructions as to delivering up of Prizes.

ART. V. The Commanders of the Vessels of War of their Majesties shall, with regard to the sending in and delivering up of Prizes, conform to the Instructions annexed to the present Convention, and which the two Governments reserve to themselves to modify by common consent, if it should become necessary.

Valuation of a Captured Vessel of War.

ART. VI. When, in execution of the present Convention, the Valuation of a Captured Vessel of War shall be in question, the calculation shall be according to the real value of the same; and the Allied Government shall be entitled to delegate one or more competent officers to concur in the Valuation. In case of disagreement, it shall be decided by lot which officer shall have the casting voice.

Treatment of Crews of Captured Vessels.

ART. VII. The Crews of the Captured Vessels shall be dealt with according to the Laws and Regulations of the Country to which the present Convention attributes the Adjudication of the Prize.

*Ratifications.**

ART. VIII. The present Convention shall be ratified, and the Ratifications shall be exchanged at London within 10 days from this date, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the Seals of their Arms.

Done at London, the 10th day of the month of May, in the year of Our Lord, 1854.

(L.S.) CLARENDON.
(L.S.) A. WALEWSKI.

ANNEX.—*Instructions to the Commanders of Ships of War belonging to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and to His Majesty the Emperor of the French.*

* Ratifications exchanged at London, 20th May, 1854.

No. 247.—*CONVENTION between Great Britain and France, respecting Prisoners of War. Signed at London, 10th May, 1854.*

ART. TABLE.

Preamble.
1. Division of Prisoners of War.
2. Instructions to be issued as to Places and Ports to which Prisoners are to be sent.
3. Expenses of Prisoners not in Possession of either Country.
4. Exchange of Prisoners of War.
5. Ratifications.

(English Version.*)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, being desirous of regulating the disposal of Prisoners who may be taken in the course of the War in which their Majesties are jointly engaged, have named as their Plenipotentiaries for this object, namely:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the Emperor of the French, the Sieur Alexandre Colonna, Count Walewski, his Ambassador to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in due form, have agreed to the following Articles:

Division of Prisoners of War.

ART. I. The Prisoners made in the course of the present War shall, as far as possible, be divided equally between the two Countries.

Whenever one of the two Countries shall have maintained a greater number of Prisoners, or shall have supported a certain number for a longer period of time, an account shall be made

* For French version, see "State Papers," vol. xliv, p. 20.

every 3 months of the excess of expenditure which may have been incurred, and repayment shall be made of the half of the amount by the Government of the other Country.

Instructions to be issued as to Places and Ports to which Prisoners are to be sent.

ART. II. Instructions shall be hereafter concerted between the two Governments in order to make known to the Officers of their Naval and Military Forces the Places or Ports to which the Prisoners are to be sent.

Expenses of Prisoners not in Possession of either Country.

ART. III. If a Depôt for Prisoners should be established in any place not in the Possessions of either of the two Countries, the expenses of it shall be borne between the two Governments; but the advances to be made shall be by the Government which shall have appointed officers to take charge of the establishment.

Exchange of Prisoners of War.

ART. IV. Whenever the two Governments shall agree to an Exchange of Prisoners with the enemy, no distinction shall be made between their respective subjects who may have fallen into the hands of the enemy, but their liberation shall be stipulated according to priority of the date of their capture, except under special circumstances, which are reserved for the mutual consideration of the two Governments.

*Ratifications.**

ART. V. The present Convention shall be ratified, and the Ratifications shall be exchanged at London in 10 days, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.

Done at London, the 10th day of May, in the year of Our Lord, 1854.

(L.S.) CLARENDON.
(L.S.) A. WALEWSKI.

* Ratifications exchanged at London, 20th May, 1854.

No. 248.—*PROTOCOL of Conference between Great Britain, Austria, France, and Prussia, relative to the Maintenance of the Integrity of the Ottoman Empire. Vienna, 23rd May, 1854.**

(Translation as laid before Parliament.†)

Present: The Representatives of Austria, France, Great Britain, and Prussia.

THE Undersigned Plenipotentiaries have deemed it conformable to the arrangements contained in the Protocol of the 9th April (**No. 241**), to meet in conference, in order to communicate reciprocally and record in one common Act the Conventions concluded between France and England on the one hand, and between Austria and Prussia on the other, upon the 10th and 20th April of the present year (**Nos. 242, 244**).

After a careful examination of the aforesaid Conventions, the Undersigned have unanimously agreed:

1. That the Convention concluded between France and England (**No. 242**), as well as that signed on the 20th April (**No. 244**), between Austria and Prussia, bind both of them, in the relative situations to which they apply, to secure the maintenance of the principle established by the series of Protocols of the Conference of Vienna.

2. That the Integrity of the Ottoman Empire, and the Evacuation of that portion of its Territory which is occupied by the Russian Army, are and will continue to be the constant and invariable object of the Union of the 4 Powers.

3. That, consequently, the Acts communicated and annexed to the present Protocol correspond to the Engagement which the Plenipotentiaries had mutually contracted on the 9th April (**No. 241**), to deliberate and agree upon the means most fit to accomplish the object of their Union, and thus give a fresh sanction to the firm intention of the 4 Powers, represented at the Conference of Vienna, to combine all their efforts and resolutions to realise the object which forms the Basis of their Union.

BUOL-SCHAUENSTEIN.
BOURQUENEY.
WESTMORLAND.
ARNIM.

* See also Treaty between Great Britain, Austria, and France of 15th April, 1856.

† For French version, see "State Papers," vol. xliv, p. 88.

No. 249.—*CONVENTION between Austria and Turkey, relative to the Austrian Occupation of the Danubian Principalities. Signed at Boyadji-Keuy, 14th June, 1854.*

ART. TABLE.

Preamble.
1. Means to be adopted for Evacuation of *Danubian Principalities.*
2. Command of *Austrian* Army.
3. Administration of *Danubian Principalities.*
4. Sovereign Rights and Integrity of Ottoman Empire.
5. Withdrawal of *Austrian* Troops from *Principalities* on conclusion of Peace with *Russia.*
6. Assistance to *Austrian* Troops from *Ottoman* Authorities. Maintenance of Order by Commanders of *Austrian* Army.
7. Ratifications.

(Translation as laid before Parliament.*)

His Majesty the Emperor of Austria, fully recognising that the existence of the Ottoman Empire within its present Limits is necessary for the maintenance of the Balance of Power between the States of Europe, and that, specifically, the Evacuation of the Danubian Principalities is one of the essential conditions of the Integrity of that Empire; being, moreover, ready to join, with the means at his disposal, in the measures proper to ensure the object of the Agreement established between his Cabinet and the High Courts represented at the Conference of Vienna.

His Imperial Majesty the Sultan having on his side accepted this offer of Concert made in a friendly manner by His Majesty the Emperor of Austria;

It has seemed proper to conclude a Convention, in order to regulate the manner in which the Concert in question shall be carried into effect.

With this object His Imperial Majesty the Emperor of Austria and His Imperial Majesty the Sultan have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Austria, M. le Baron Charles de Bruck, his Internuncio and Minister Plenipotentiary at the Sublime Ottoman Porte, &c.;

* For French Version, see "State Papers," vol. xliv, p. 90.

And His Imperial Majesty the Sultan, Mustapha Reshid Pasha, late Grand Vizier, and at present his Minister for Foreign Affairs, &c.;

Who after having exchanged their Full Powers, found to be in good and due form, have agreed upon the following Articles:

Means to be adopted for Evacuation of Danubian Principalities.

Art. I. His Majesty the Emperor of Austria engages to exhaust all the means of negotiation and all other means to obtain the Evacuation of the Danubian Principalities by the Foreign Army which occupies them, and even to employ, in case they are required, the number of Troops necessary to attain this end.

Command of Austrian Army.

Art. II. It will appertain in this case exclusively to the Imperial Commander-in-Chief to direct the operations of his Army. He will, however, always take care to inform the Commander-in-Chief of the Ottoman Army of his operations in proper time.

Administration of Danubian Principalities.

Art. III. His Majesty the Emperor of Austria undertakes by common Agreement with the Ottoman Government to re-establish in the Principalities, as far as possible, the legal state of things such as it results from the Privileges secured by the Sublime Porte in regard to the Administration of those Countries. The local authorities thus reconstituted shall not, however, extend their action so far as to attempt to exercise control over the Imperial Army.

Sovereign Rights and Integrity of Ottoman Empire.

Art. IV. The Imperial Court of Austria further engages not to enter into any plan of accommodation with the Imperial Court of Russia which has not for its Basis the Sovereign Rights of His Majesty the Sultan, as well as the Integrity of his Empire.

Withdrawal of Austrian Troops from Principalities on conclusion of Peace with Russia.

Art V. As soon as the object of the present Convention shall have been obtained by the conclusion of a Treaty of Peace between the Sublime Porte and the Court of Russia, His Majesty the

Emperor of Austria will immediately make arrangements for withdrawing his Forces with the least possible delay from the Territory of the Principalities. The details respecting the retreat of the Austrian Troops shall form the object of a special understanding with the Sublime Porte.

Assistance to Austrian Troops from Ottoman Authorities.

ART. VI. The Austrian Government expects that the Authorities of the Countries temporarily occupied by the Imperial Troops will afford them every assistance and facility, as well for their march, their lodging or encampment, as for their subsistence and that of their horses, and for their communications. The Austrian Government likewise expects that every demand relating to the requirements of the service shall be complied with, which shall be addressed by the Austrian Commanders, either to the Ottoman Government through the Imperial Internunciate at Constantinople, or directly to the Local Authorities, unless more weighty reasons render the execution of them impossible.

Maintenance of Order by Commanders of Austrian Army.

It is understood that the Commanders of the Imperial Army will provide for the maintenance of the strictest discipline among their Troops, and will respect, and cause to be respected, the Properties as well as the Laws, the Religion, and the Customs of

*Ratifications.**

ART. VII. The present Convention shall be ratified, and the Ratifications shall be exchanged at Vienna in the space of 4 weeks, or earlier if possible, dating from the day of its signature.

In faith of which the respective Plenipotentiaries have signed it and set their Seals to it.

Done in duplicate, for one and the same effect, at Boyadji-Keuy, the 14th June, 1854.

(L.S.) V. BRUCK. (L.S.) RESHID.

* Ratifications exchanged at Vienna, 30th June, 1854.

No. 250.—*NOTES exchanged between Great Britain and Austria, respecting the Conditions to be imposed for the re-establishment of Peace. Vienna, 8th August,* 1854.

(Translation as laid before Parliament.*)

The Earl of Westmorland to Count Buol.

Vienna, 8th August, 1854.

The Undersigned, &c., has the honour to announce to Count Buol, &c., that he has received from his Government orders to record in the present note that it results from the confidential communications which have taken place between the Courts of Vienna, Paris, and London, in conformity with the passage of the Protocol of the 9th April last (**No. 241**), by which Austria, France, and Great Britain engaged, at the same time as Prussia, to seek means for connecting the existence of the Ottoman Empire with the general Balance of Power in Europe, that the 3 Powers are equally of opinion that the relations of the Sublime Porte with the Imperial Court of Russia cannot be re-established on solid and durable bases

1. If the Protectorate hitherto exercised by the Imperial Court of Russia over the Principalities of Wallachia, Moldavia, and Servia, be not discontinued for the future; and if the Privileges accorded by the Sultans to those Provinces, dependent on their Empire, be not placed under the Collective Guarantee of the Powers, in virtue of an Arrangement to be concluded with the Sublime Porte, and the stipulations of which should at the same time regulate all questions of detail.

2. If the Navigation of the Danube at its mouths be not freed from all obstacle, and made subject to the application of the principles established by the Acts of the Congress of Vienna (**No. 27**).

3. If the Treaty of the 13th July, 1841 (**No. 193**), be not revised in concert by all the High Contracting Parties in the interest of the Balance of Power in Europe.

4. If Russia do not cease to claim the right of exercising an official Protectorate over the subjects of the Sublime Porte, to

* For French version, see "State Papers," vol. xliv, p. 88.

whatever rite they may belong, and if France, Austria, Great Britain, Prussia, and Russia, do not mutually assist each other in obtaining from the original action of the Ottoman Government the confirmation and the observance of the Religious Privileges of the different Christian communities, and in turning to account, for the common interest of their co-religionists, the generous intentions manifested by His Majesty the Sultan, without any prejudice resulting therefrom to his dignity and the Independence of his Crown.

The Undersigned is moreover authorised to declare that the Government of Her Majesty the Queen of Great Britain, while reserving to themselves the right of making known, at a suitable time, the particular conditions which they may attach to the conclusion of peace with Russia, and of modifying the general Guarantees above specified in such manner as the continuance of hostilities may render necessary, are resolved not to discuss and not to take into consideration any proposition from the Cabinet of St. Petersburgh which should not imply on its part a full and entire adhesion to the principles on which they are already agreed with the Governments of His Majesty the Emperor of Austria and of His Majesty the Emperor of France.

The Undersigned, &c.

WESTMORLAND.

(Translation as laid before Parliament.)

Count Buol to the Earl of Westmorland.

Vienna, 8th August, 1854.

The Undersigned, Minister of Foreign Affairs of His Imperial and Royal Apostolic Majesty, hastens to acknowledge the receipt of the note which his Lordship the Earl of Westmorland, &c., did him the honour to address to him on the 8th of this month, and to record in his turn that it results from the confidential communications which have taken place between the Courts of Vienna, Paris, and London, in conformity with the passage of the Protocol of the 9th April last (**No. 241**), by which Austria, France, and Great Britain engaged, at the same time as Prussia, to seek means for connecting the existence of the Ottoman Empire with the general Balance of Power in Europe, that the 3 Powers are equally of opinion that the relations of the Sublime Porte with the Imperial Court of Russia cannot be re-established on solid and durable Bases :

1. If the Protectorate hitherto exercised by the Imperial Court of Russia over the Principalities of Wallachia, Moldavia, and Servia be not discontinued for the future, and if the Privileges accorded by the Sultans to those Provinces, dependent on their Empire, be not placed under the Collective Guarantee of the Powers, in virtue of an Arrangement to be concluded with the Sublime Porte, and the stipulations of which should at the same time regulate all questions of detail.

2. If the Navigation of the Danube at its mouths be not freed from all obstacle and made subject to the application of the principles established by the Acts of the Congress of Vienna (**No. 27**).

3. If the Treaty of the 13th July, 1841 (**No. 193**), be not revised in concert by all the High Contracting Parties in the interest of the Balance of Power in Europe.

4. If Russia do not cease to claim the right of exercising an official Protectorate over the subjects of the Sublime Porte, to whatever rite they may belong; and if Austria, Great Britain, France, Prussia, and Russia do not mutually assist each other in obtaining from the original action of the Ottoman Government the confirmation and the observance of the Religious Privileges of the different Christian communities, and in turning to account, for the common interest of their co-religionists, the generous intentions manifested by His Majesty the Sultan, without any prejudice resulting therefrom to his dignity and the Independence of his Crown.

The Undersigned is, moreover, authorised to declare that his Government takes note of the determination of England and of France not to enter into any arrangement with the Imperial Court of Russia which should not imply on the part of the said Court a full and entire adhesion to the four principles above enumerated, and that it accepts for itself the engagement not to treat except on those Bases, reserving to itself, however, liberty of judging as to the conditions which it might attach to the re-establishment of Peace, if it should itself be forced to take part in the War.

The Undersigned, &c.

BUOL.

No. 251.—*CONVENTION between Baden and Switzerland, for the Delimitation of the Frontiers. Signed at* $\frac{\text{Stuttgart, 20th}}{\text{Zurich, 31st}}$ *October*, 1854.

TABLE.

ART.
Preamble. Reference to Convention of 28th March, 1831.
1. Line of Boundary.
2. Freedom of Fishing and Shooting on both Banks of the *River* subject to Police Regulations. *Dissenhofen* Bridge to belong to *Thurgovia*. Private Rights of Fishing.
3. Lands called "la Sätze or Zaunstelle," on the Bank of the *Rhine* to belong to *Gailingen*. Privileges to Inhabitants of *Dissenhofen* acquiring Property at *la Sätze*.
4. Lands called *Scharrenwiesen* on left Bank of the *Rhine* to belong to District of *Unterschlatt* in *Thurgovia*. Privileges to Inhabitants of *Busingen* acquiring Property at *Scharrenwiesen*.
5. Ratifications.

(Translation.*)

Reference to Convention of 28th March, 1831.

THE Swiss Federal Council and the Government of the Grand Duchy of Baden recognising the advisability of duly rectifying the Limits between the Swiss Confederation and the Grand Duchy of Baden along the Canton of Thurgovia, in so far as they have not been decided on by the Convention of the 28th March, 1831,† and at the same time to smooth by means of an amicable understanding the differences existing for many years past on several parts of that Frontier, have appointed Plenipotentiaries to that effect, namely:—

The Swiss Federal Council, Dr. J. Conrad Kern, Member of the Swiss National Council; Dr. J. Jacques Ruttimann, Member of the Council of the Swiss States;

The Government of the Grand Duchy of Baden, the Chargé d'Affaires of the Grand Duchy to the Swiss Confederation, &c., Ferdinand de Dusch;

* For French version, see "State Papers," vol. lviii, page 620.

† As by the Convention of 28th March, 1831, Thurgovia merely ceded to Baden a small portion of Territory called the Degermool Land, adjoining the Ditch of the Fortifications of Constance, it has not been considered necessary to give the Convention.

[Boundaries.]

Who have agreed on the following points as the basis of the deliberations which took place at Constance on the 9th and 10th May last, under reserve of the Ratification of their high Constituents.

Middle of the Rhine from Lower Lake to be the Line of Boundary.

ART. I. The middle of the Rhine from the Lower Lake is recognised as the Line of Boundary between the Territory of the Grand Duchy of Baden and that of the Swiss Canton of Thurgovia, from the Baden Frontier below Constance as far as the Frontier of Thurgovia, near the old Paradise Convent.

The Limit here described is also plainly recognised along the old District of the Town of Diessenhofen as well as between the Village of Busingen and the opposite Lands called Scharrenwiese.

ARTS. II to V. (See Table.)

Done at $\frac{\text{Stuttgart, 20th}}{\text{Zurich, 31st}}$ October, 1854.

(L.S.) Dr. J. C. KERN. (L.S.) F. DE DUSCH.
(L.S.) Dr. J. RUTTIMAN.

No. 252.—*TREATY OF ALLIANCE between Great Britain, Austria, and France. Signed at Vienna, 2nd December*, 1854.*

ART. TABLE.

Preamble. Peace of Europe.
1. High Contracting Parties not to make Arrangements with *Russia* without previous deliberation in common.
2. Occupation of Principalities of *Moldavia* and *Wallachia* by *Austrian* Troops during the War.
3. Offensive and Defensive Alliance in case of Hostilities between *Austria* and *Russia*.
4. High Contracting Parties not to entertain Overtures of Peace without previous consultation.
5. Deliberations in case of non-conclusion of General Peace.
6. Invitation to *Prussia* to accede to Convention.
7. Ratifications.

(Translation as laid before Parliament.†)

Peace of Europe.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, and His Majesty the Emperor of the French, being animated with the desire of terminating the present War at the earliest possible moment, by the re-establishment of General Peace on solid bases, affording to the whole of Europe every Guarantee against the return of the complications which have so unhappily disturbed its repose; being convinced that nothing would be more conducive to that result than the complete Union of their efforts until the common object which they have in view shall be entirely attained; and acknowledging, in consequence, the necessity of coming to an immediate understanding with regard to their respective positions, and to arrangements for the future; have resolved to conclude a Treaty of Alliance, and have for that purpose named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Fane, Earl of

* Sardinia acceded to this Convention on the 15th March, 1855.

† For French Version, see "State Papers," vol. xliv, p. 22.

Westmorland, Envoy Extraordinary and Minister Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.;

His Majesty the Emperor of Austria, the Sieur Charles, Count de Buol-Schauenstein, his Chamberlain and Privy Councillor, Minister for Foreign Affairs and of the Imperial House, &c.;

His Majesty the Emperor of the French, the Sieur Francis Adolphus, Baron de Bourqueney, his Envoy Extraordinary and Minister Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

High Contracting Parties not to make Arrangements with Russia, without previous Deliberation in common.

ART. I. The High Contracting Parties refer to the Declarations contained in the Protocols of the 9th of April (**No. 241**) and 23rd of May of the present year (**No. 248**), and in the Notes exchanged on the 8th of August last (**No. 250**); and as they reserved to themselves the right of proposing, according to circumstances, such Conditions as they might judge necessary for the general interests of Europe, they engage mutually and reciprocally not to enter into any Arrangement with the Imperial Court of Russia without having first deliberated thereupon in common.

Occupation of Principalities of Moldavia and Wallachia by Austrian Troops during the War.

ART. II. His Majesty the Emperor of Austria having, in virtue of the Treaty concluded on the 14th of June last with the Sublime Porte (**No. 249**), caused the Principalities of Moldavia and Wallachia to be occupied by his troops, he engages to defend the Frontier of the said Principalities against any return of the Russian Forces; the Austrian troops shall for this purpose occupy the positions necessary for Guaranteeing those Principalities against any attack. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, having likewise concluded with the Sublime Porte on the 12th of March (**No. 237**), a Treaty which authorises them to direct their forces upon every part of the

Ottoman Empire, the above-mentioned Occupation shall not interfere with the free movement of the Anglo-French or Ottoman troops upon these same Territories against the Military Forces or the Territory of Russia. There shall be formed at Vienna between the Plenipotentiaries of Austria, France, and Great Britain, a Commission to which Turkey shall be invited to send a Plenipotentiary, and which shall be charged with examining and regulating every question relating either to the exceptional and provisional state in which the said Principalities are now placed, or to the free passage of the different armies across their Territory.

Offensive and Defensive Alliance in case of Hostilities between Austria and Russia.

ART. III. In case hostilities should break out between Austria and Russia, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, and His Majesty the Emperor of the French, mutually promise to each other their Offensive and Defensive Alliance in the present War, and will for that purpose employ, according to the requirements of the War, Military and Naval Forces, the number, description, and destination whereof shall, if occassion should arise, be determined by subsequent arrangements.

High Contracting Parties not to entertain Overtures of Peace without previous Consultation.

ART. IV. In the case contemplated by the preceding Article, the High Contracting Parties reciprocally engage not to entertain any Overture or Proposition on the part of the Imperial Court of Russia, having for its object the Cessation of Hostilities, without having come to an understanding thereupon between themselves.

Deliberations in case of Non-conclusion of General Peace.

ART. V. In case the re-establishment of General Peace, upon the bases indicated in Article I, should not be assured in the course of the present year, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, and His Majesty the Emperor of the French, will deliberate without delay upon effectual means for obtaining the object of their Alliance.

Invitation to Prussia to accede to Convention.

ART. VI. Great Britain, Austria, and France will jointly communicate the present Treaty to the Court of Prussia, and will with satisfaction receive its Accession thereto, in case it should promise its co-operation for the accomplishment of the common object.*

Ratifications.

ART. VII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Vienna in the space of a fortnight.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Vienna, the 2nd of December, in the year of Our Lord, 1854.

(L.S.) WESTMORLAND.
(L.S.) BUOL-SCHAUENSTEIN.
(L.S.) BOURQUENEY.

* Prussia did not accede to this Treaty. Conferences on the Eastern Question were held at Vienna between the Plenipotentiaries of Great Britain, Austria, France, Russia, and Turkey, from the 15th March till the 26th April, 1855; and at the sitting of the 17th March, deep regret was expressed at Prussia not being represented in the Conferences. Prussia, however, took part in the Conferences held at Paris in 1856.

No. 253.—*MEMORANDUM presented by Great Britain, Austria, and France, to Russia, containing the Bases of Conferences on the Eastern Question. 28th December*, 1854.

TABLE.

Moldavia, Wallachia, and Servia.
Navigation of the Danube.
Black Sea.
Christian Subjects of the Porte.

(Translation as laid before Parliament.*)

IN order to determine the sense which their Governments attach to each of the principles contained in the 4 Articles, and reserving to themselves, moreover, as they have always done, the power to put forward such Special Conditions as may appear to them required, beyond the 4 Guarantees, by the general interests of Europe, to prevent the recurrence of the late complications, the Representatives of Austria, France, and Great Britain declare:

Moldavia, Wallachia, and Servia.

1. That their Governments, concurring in the opinion that it was necessary to abolish the exclusive Protectorate exercised by Russia over Moldavia, Wallachia, and Servia, and henceforward to place under the Collective Guarantee of the 5 Powers the Privileges accorded by the Sultans to the Principalities dependencies of their Empire, have considered and do consider that none of the stipulations of the ancient Treaties of Russia with the Porte, relative to the said Provinces, should be revived at the Peace, and that the arrangements to be concluded on the subject of them should be ultimately combined so as to give full and entire effect to the Rights of the Suzerain Power, to those of the 3 Principalities, and to the general interests of Europe.

Navigation of the Danube.

2. To give to the freedom of Navigation of the Danube all the development of which it is susceptible, it would be desirable that

* For French version, see "State Papers," vol. xlv, p. 53.

the course of the Lower Danube, beginning from the point where it becomes common to the two River-bordering States, should be withdrawn from the Territorial Jurisdiction existing in virtue of Article III of the Treaty of Adrianople. In every case the Free Navigation of the Danube could not be secured if it be not placed under the control of a Syndicate authority, invested with powers necessary to destroy the obstructions existing at the Mouths of that River, or which may hereafter be formed there.

Black Sea.

3. The revision of the Treaty of 13th July, 1841 (**No. 193**), must have for its object to connect the existence of the Ottoman Empire more completely with the European equilibrium, and to put an end to the preponderance of Russia in the Black Sea. As to the arrangements to be taken in this respect, they depend too directly on the events of the War for it to be possible at present to determine the bases: it is sufficient to point out the principle.

Christian Subjects of the Porte.

4. Russia, in renouncing the pretension to take under an official Protectorate the Christian Subjects of the Sultan of the Oriental ritual, equally renounces, as a natural consequence, the revival of any of the Articles of her former Treaties, and especially of the Treaty of Koutchouk-Kainardji, the erroneous interpretation of which has been the principal cause of the present War. In affording their mutual co-operation to obtain from the initiative of the Ottoman Government the confirmation and the observance of the Religious Privileges of the different Christian communities, without distinction of sect, and conjointly turning to account, in the interest of the said communities, the generous intentions manifested in respect to them by His Majesty, the Sultan, they will take the greatest care to preserve from all attack the dignity of His Highness and the Independence of his Crown.

No. 254.—*CONVENTION between Great Britain and France, relative to Supplies to be furnished to the Turkish Army. Signed at London, 24th January, 1855.*

ART. TABLE.

Preamble.
1. Supplies to be furnished in equal Proportions during the War.
2. Accounts of Supplies to be made up every 3 months.
3. Repayments to be made by Consuls-General in *London* and *Paris*.
4. Ratifications.*

(English Version as laid before Parliament.†)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, being desirous to divide equally between their respective Governments the expense of the supplies which the Allied Armies in the Crimea have already furnished, or may hereafter furnish, to the Turkish Army, have named as their Plenipotentiaries to conclude a Convention for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the Emperor of the French, the Sieur Alexander Colonna, Count Walewski, his Ambassador to Her Britannic Majesty, &c.;

Who, after having communicated to each other their Full Powers, found in due form, have agreed upon the following Articles:

ARTS. I to IV. (See Table.)

Done at London, the 24th day of January, in the year of Our Lord, 1855.

(L.S.) CLARENDON.
(L.S.) A. WALEWSKI.

* Ratifications exchanged at London, 28th February, 1855.
† For French version, see "State Papers," vol. xlv, p. 3.

No. 255.—*MILITARY CONVENTION between Great Britain, France, and Sardinia. Signed at Turin, 26th January*, 1855.

ART. TABLE.

Preamble. Reference to Treaty of 10th April, 1854.
1. *Sardinia* to furnish 15,000 Men for requirements of the War.
2. Troops to depart as soon as possible.
3. Troops to be composed of Infantry, Cavalry, and Artillery.
4. Necessary Reinforcements to be sent to keep up Number of Men.
5. *Sardinian* Government to provide for the Pay and Subsistence of its Troops.
6. Guarantee of Integrity of *Sardinia* during the War.
7. Ratifications.*

(Translation as laid before Parliament.†)

Reference to Treaty of 10th April, 1854.

His Majesty the King of Sardinia having acceded to the Treaty of Alliance concluded and signed at London on the 10th of April, 1854 (**No. 244**), between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, and the Emperor of the French, and having engaged to concert, when necessary, with their said Majesties for the purpose of proceeding, conformably to Article II of the Treaty of the 10th of April, to the conclusion of the arrangements of detail which shall regulate the employment of his Land and Sea Forces, and determine the conditions and mode of their Co-operation with those of Great Britain and of France; their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the King of Sardinia, have in consequence resolved to conclude a Military Convention destined to regulate the conditions and the mode of the Co-operation of the Sardinian troops with those of Great Britain and of France, and have named for that purpose as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, James Hudson, Esquire, her Envoy Extra-

* Ratifications exchanged at Turin, 4th March, 1855.
† For French version, see "State Papers," vol. xlv, p. 46.

ordinary and Minister Plenipotentiary to His Majesty the King of Sardinia, &c.;

His Majesty the Emperor of the French, the Duke de Guiche, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sardinia, &c.;

And His Majesty the King of Sardinia, the Count Camille de Cavour, President of the Council of Ministers, and his Minister for Foreign Affairs, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

ARTS. I to VII. (See Table.)

Done at Turin, the 26th of January, in the year of Our Lord, 1855.

(L.S.) JAMES HUDSON.
(L.S.) GUICHE.
(L.S.) C. CAVOUR.

No. 256.—*CONVENTION between Great Britain and Sardinia, Supplementary to the Military Convention of 26th January, 1855. Signed at Turin, 26th January, 1855.*

ART. TABLE.

Preamble. Reference to Military Convention of 26th January, 1855.
1. Loan of £1,000,000 to *Sardinia*.
2. Interest and Sinking Fund on Loan.
3. Gratuitous transport of *Sardinian* Troops.
4. Ratifications.*

(English Version.†)

Reference to Military Convention of 26th January, 1855.

HER Majesty the Queen of the United Kingdom of Great and Ireland, and His Majesty the King of Sardinia, being desirous to facilitate the execution of the Military Convention which has this day (**No. 255**) been signed between Her Britannic Majesty, His Majesty the Emperor of the French, and His Majesty the King of Sardinia, have resolved to conclude a Convention Supplementary to the Convention above mentioned, and for that purpose have named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, James Hudson, Esquire, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sardinia, &c.;

And His Majesty the King of Sardinia, the Count Camille de Cavour, President of the Council of Ministers, and his Minister for Foreign Affairs, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

ARTS. I to IV. (See Table.)

Done at Turin, the 26th day of January, 1855.

(L.S.) JAMES HUDSON.
(L.S.) C. CAVOUR.

* Ratifications exchanged at Turin, 4th March, 1855.

† For French version, see "State Papers," vol. xlv, p. 48.

No. 257.—*CONVENTION between Great Britain and Turkey, for the Employment of a body of Turkish Troops in the British Service. Signed at Constantinople, 3rd February*, 1855.*

ART. TABLE.

Preamble.
1. Engagement of 20,000 Turkish Regular Troops (Rediffs) into Service of *Great Britain*, to be employed as deemed advisable.
2. Command of *Turkish* Troops. Rank to be conferred in *Turkish* Service on *British* Officers. *Turkish* Troops to be subject to Discipline and Regulations of *British* Service.
3. Arming, equipment, pay, clothing, and maintenance of *Turkish* Troops. Pay to correspond with Pay in Sultan's Service.
4. Non-interference with *Turkish* Officers and Men in Religious Observances.
5. Date at which *Turkish* Troops are to be considered in *British* Service.
6. On conclusion of Peace, Officers and Men to be placed at disposal of *Turkish* Government.
7. Rations and Punishments to be in accordance with system pursued in *Turkish* Army.
8. *Turkish* Troops on entering *British* Service, to enter it prepared to take the Field.
9. Ratifications.†

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, with a view to the more effectual prosecution of the War in which Her Majesty, the Emperor of the French, and His Imperial Majesty the Sultan are engaged, having proposed to His Imperial Majesty the Sultan to take into the British Service for a time, and in all respects provide for, such a proportion of Turkish troops as might be agreed upon between Her Majesty and the Sultan; and His Imperial Majesty the Sultan having signified his concurrence in that proposal of his Ally; their said Majesties have seen fit to conclude a Convention for the purpose of determining the conditions on which such Turkish troops shall be employed, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Stratford, Viscount

* Signed in the English and Turkish Languages. See "State Papers," vol. xlv, p. 9.

† Ratifications exchanged at Constantinople, 12th March, 1855.

Stratford de Redcliffe, her Ambassador Extraordinary and Plenipotentiary to the Ottoman Porte, &c.;

And His Imperial Majesty the Sultan, Mustapha Rechid Pacha, his Grand Vizier; and Mehemed Aali Pacha, his Minister for Foreign Affairs;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

Arts. I to IX. (See Table.)

Done in duplicate for one and the same purpose at Constantinople, the 3rd day of February, 1855.

(L.S.) STRATFORD DE REDCLIFFE.
(L.S.) RECHID.
(L.S.) AALI.

No. 258.—*PROTOCOLS OF CONFERENCES between Austria, France, Great Britain, Russia, and Turkey. Eastern Question. Vienna, 15th March to 4th June, 1855.*

Protocol.		"State Papers," vol. xlv, Page
No. 1.	(1st Point). *Danubian Principalities* of *Moldavia, Wallachia,* and *Servia* ..... Vienna, 15th March, 1855.	54
No. 2.	*Do. Do. Do.* ..... Vienna, 17th March, 1855.	60
No. 3.	*Do. Do. Do.* ..... Vienna, 19th March, 1855.	66
No. 4.	(2nd Point.) *Free Navigation of the Danube.* Vienna, 21st March, 1855.	68
No. 5.	*Do. Do.* ..... Vienna, 23rd March, 1855.	73
No. 6.	*Principalities.* (3rd Point). (*Revision of Treaty* of 13th July, 1841. *Limitation* of *Russian Naval Forces* in *Black Sea.*) *Discussion deferred.*... Vienna, 27th March, 1855.	78
No. 7.	*Proposal* to *discuss* 4th Point (*Christian Subjects* of the *Porte*), pending *decision* on 3rd Point, *rejected. Adjournment of Discussions.* ..... Vienna, 29th March, 1855.	83
No. 8.	*Do. Do.* ..... Vienna, 2nd April, 1855.	85
No. 9.	*Introduction* of *New Plenipotentiaries* of *France* and *Turkey.* Vienna, 9th April, 1855.	87
No. 10.	(3rd Point). *Revision* of *Treaty* of 13th July, 1841. *Limitation* of *Russian Naval Forces* in *Black Sea. Integrity* of *Ottoman Empire* ..... Vienna, 17th April, 1855.	87
No. 11.	*Do. Do. Dardanelles* and *Bosphorus.* Vienna, 19th April, 1855.	92
No. 12.	*Do. Do. Do.* ..... Vienna, 21st April, 1855.	99
No. 13.	*Do. Do. Do.* ..... Vienna, 26th April, 1855.	110
No. 14.	*Closing Conferences* ..... Vienna, 4th June, 1855.	118

No. 259.—*CONVENTION between Great Britain, France, and Turkey, for the Guarantee of a Loan to be raised by the Sultan. Signed at London, 27th June,* 1855.*

ART. TABLE.

Preamble.
1. Guarantee of Interest on Loan to be raised by *Turkey*.
2. Interest on Loan. Sinking Fund.
3. Charge on Revenues for payment of Interest and Sinking Fund. Dates of Payment.
4. Proceeds of Loan to be paid into the Bank of *England*.
5. Ratifications.

(Translation as laid before Parliament.†)

His Imperial Majesty the Sultan having addressed himself to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French, in order to obtain from those Sovereigns facilities for raising a Loan to enable His Imperial Majesty to prosecute with vigour the War against Russia in which he is at present engaged in conjunction with their said Majesties, his Allies; and Her Britannic Majesty and His Majesty the Emperor of the French having acceded to the request of the Sultan; their Majesties have resolved to make the requisite arrangements by means of a Convention, and have named as their Plenipotentiaries to conclude the same, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honorable Privy Council, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of the French, the Sieur John Gilbert Victor Fialin, Count of Persigny, Senator, his Ambassador to Her Britannic Majesty, &c.;

And His Imperial Majesty the Sultan, Constantine Musurus Bey, Functionary of the first rank of His Imperial Majesty, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

* See also Declaration between Great Britain and France of 27th July, 1855.

† For French Version see "State Papers," vol. xlv, p. 18.

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:

Guarantee of Interest on Loan to be raised by Turkey.

ART. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland undertakes to recommend to her Parliament to enable her to Guarantee conjointly with His Majesty the Emperor of the French, and His Majesty the Emperor of the French engages, subject to the Ratification of the Legislative Body of France, to Guarantee conjointly with Her Britannic Majesty, the interest of a Loan of £5,000,000 sterling, to be raised by His Imperial Majesty the Sultan.

Interest on Loan.

ART. II. The Interest payable on the said Loan of £5,000,000 sterling shall be at the rate of 4 per cent. per annum.

Sinking Fund.

There shall moreover be paid by the Sublime Porte the further rate of one per cent. per annum on the whole capital of £5,000,000 sterling by way of Sinking Fund.

Charge on Revenues for payment of Interest and Sinking Fund.

ART. III. The Interest and Sinking Fund of the said Loan shall form a charge on the whole Revenues of the Ottoman Empire, and specially on the annual amount of the Tribute of Egypt which remains over and above the part thereof appropriated to the first Loan, and moreover on the Customs of Smyrna and Syria.

Dates of Payment.

His Imperial Majesty the Sultan engages that he will cause to be remitted to the Bank of England on or before the 25th June and 25th December in each year, the full amount of one half year's Interest and Sinking Fund on the whole amount of the said Loan to be raised under the conjoint Guarantee of Her Britannic Majesty and of His Majesty the Emperor of the French, or on so much thereof as may be raised, until the whole capital borrowed shall be repaid.

Proceeds of Loan to be paid into the Bank of England.

ART. IV. Their Majesties the Queen of the United Kingdom

of Great Britain and Ireland and the Emperor of the French, being desirous to save the Sublime Porte the expenses of remittance, consent to undertake to transmit to the Ottoman Government the proceeds of the above-mentioned Loan of £5,000,000 sterling to be raised under the conjoint Guarantee of their Majesties. With this view, it is agreed that the contractors for the said Loan shall pay the proceeds thereof into the Bank of England for the account of the Turkish Government, to be transmitted to the Sublime Porte by the agency of the Governments of England and of France.

Ratifications.

Art. V. The present Convention shall be ratified, and the Ratifications* shall be exchanged at Constantinople as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 27th day of June, in the year of Our Lord, 1855.

(L.S.) CLARENDON.
(L.S.) F. DE PERSIGNY.
(L.S.) C. MUSURUS.

* Ratifications exchanged at Constantinople, 12th July, 1855.

No. 260.—*DECLARATION exchanged between Great Britain and France, relative to the Division of Trophies and Booty. Signed at Paris, 10th July, 1855.*

TABLE.

Reference to Convention of 10th May, 1854.
1. Equal Division of Trophies.
2. Division to be made by Corps.
3. Choice to be decided by Lot.
4. Division of Booty and value of Trophies.
5. Mixed Commission to decide Disputed Questions.
6. Valuation to be made by a Mixed Commission.

(English version.*)

Reference to Convention of 10th May, 1854.

THE Government of Her Britannic Majesty and the Government of His Majesty the Emperor of the French, being desirous of regulating the mode of Division of Trophies and Booty captured by their combined Land Forces, have agreed to apply to such Division the principles laid down in the Convention of the 10th May, 1854 (**No. 246**), relative to Captures at Sea.

In consequence, it is agreed:

Equal Division of Trophies.

1st. That Flags, Cannon, and other Articles which may be considered as Trophies, captured by corps or parts of corps belonging to the Land Forces of the two Countries, and acting in common, with or without the Co-operation of the combined Naval Forces, shall be equally divided between the two Governments.

Division to be made by Corps.

2ndly. That such Division shall be made by Corps.

Choice to be decided by Lot.

3rdly. That the first choice for each kind of Trophy shall be decided by lot between the two Commanders-in-Chief.

Division of Booty and Value of Trophies.

4thly. That the Division of Booty and of the Value of Trophies,

* For French version, see "State Papers," vol. xlv, p. 29.

such as Cannon, Tumbrils, and other Articles which are capable of being valued, shall be made between the two Governments, according to the number of men who shall have co-operated at the capture, without deducting those who shall have fallen in the action, in order that the proceeds may be distributed according to the law of each Country.

Mixed Commission to decide Disputed Questions.

5thly. That Disputed Questions which may arise with regard to the Distribution of Booty shall be decided by a Mixed Commission, which shall sit at Paris, and shall be composed of two Delegates, one English and the other French, appointed by their respective Governments. Those Delegates, before entering upon the performance of their duties, shall name two persons, of whom one shall be chosen by lot to act as an Umpire in all cases in which they may themselves differ in opinion. The decision of the Delegates, or of the Umpire, as the case may be, shall be final and without appeal.

Valuations to be made by a Mixed Commission.

6thly. That whenever it may be necessary to make a Valuation upon the spot of any article captured, it shall be done by a Mixed Commission, composed of competent Officers.

In witness whereof the Undersigned, being duly authorised by their respective Governments, have signed the present Declaration, and have affixed thereto the Seal of their Arms.

Done at Paris, the 10th day of July, 1855.

(L.S.) COWLEY.
(L.S.) A. WALEWSKI.

[Sardinia and Turkey acceded to the above Declaration on the 15th November, 1855.]

No. 261.—*DECLARATION between Great Britain and France, relative to the Turkish Loan. Signed at London, 27th July, 1855.*

TABLE.

Reference to Convention of 27th June, 1855.

Payment of Interest and Sinking Fund on Turkish Loan in case of non-payment by *Turkey*.

(English Version.*)

Reference to Convention of 27th June, 1855

WHEREAS by the Convention signed at London on the 27th June, 1855 (**No. 259**), between Great Britain, France, and Turkey, for the Guarantee of a Loan of £5,000,000 sterling, to be raised by His Impérial Majesty the Sultan, His Imperial Majesty engaged that he will cause to be remitted to the Bank of England, on or before the 25th June and 25th December in each year, the full amount of one half-year's interest and Sinking Fund on the whole amount of the said Loan, or on so much thereof as may be raised, until the whole capital borrowed shall be repaid;

And whereas, in consequence of the Guarantee contained in the said Convention, the Governments of Great Britain and France are conjointly answerable for the payment of the Interest on the said Loan;

Payment of Interest and Sinking Fund on Turkish Loan in case of Non-payment by Turkey.

It is agreed between the Governments of Great Britain and France:

That in the event of the Turkish Government failing, in the whole or in part, so to remit the amount of the half-year's Interest, the British Government shall advance the amount which may be necessary to enable the Bank of England to pay the said Interest at the appointed time; that the British Government shall then transmit to the French Government an account of the amount so advanced; and that the French Government, on its part, shall immediately remit to the British Government the half of such

* For French version, see "State Papers," vol. xlv, p. 20.

amount; it being understood that any sums so advanced by the British and French Governments shall be proportionally repaid to them out of any funds which may be remitted by the Turkish Government to the British Government.

In witness whereof, the Undersigned, being duly authorised by their respective Governments, have signed the present Declaration, and have affixed thereto the Seal of their Arms.

Done at London, the 27th day of July, 1855.

(L.S.) CLARENDON.
(L.S.) F. DE PERSIGNY.

No. 262.—*TREATY between Great Britain, France, and Sweden and Norway. Signed at Stockholm, 21st November*, 1855.

ART. TABLE.

Preamble. Balance of Power in *Europe*.
1. *Sweden* not to make any Territorial Cessions, or confer any Rights of Pasturage, &c., to *Russia*, in *Sweden* and *Norway*.
2. Co-operation of *Great Britain* and *France* to resist Pretensions or Aggressions of *Russia*.
3. Ratifications.

(Translation as laid before Parliament.*)

Balance of Power in Europe.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of the French, and His Majesty the King of Sweden and Norway, being anxious to avert any complication which might disturb the existing Balance of Power in Europe, have resolved to come to an understanding with a view to secure the integrity of the United Kingdoms of Sweden and Norway, and have named as their Plenipotentiaries to conclude a Treaty for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Arthur Charles Magenis, Esquire, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sweden and Norway;

His Majesty the Emperor of the French, the Sieur Charles Victor Lobstein, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sweden and Norway, &c.;

And His Majesty the King of Sweden and Norway, the Sieur Gustavus Nicholas Algernon Adolphus Baron de Stierneld, his Minister of State and for Foreign Affairs, &c., &c., &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed as follows:

Sweden not to make any Territorial Cessions or confer any Rights of Pasturage, &c., to Russia, in Sweden and Norway.

ART. I. His Majesty the King of Sweden and Norway engages not to cede to nor to exchange with Russia, nor to permit her to occupy, any part of the Territories belonging to

* For French version, see "State Papers," vol. xlv, p. 33.

the Crowns of Sweden and Norway. His Majesty the King of Sweden and Norway engages, further, not to cede to Russia any Right of Pasturage, of Fishery, or of any other nature whatsoever, either on the said Territories or upon the Coasts of Sweden and Norway, and to resist any pretension which may be put forward by Russia with a view to establish the existence of any of the Rights aforesaid.

Co-operation of Great Britain and France to resist Pretensions or Aggressions of Russia.

ART. II. In case Russia should make to His Majesty the King of Sweden and Norway any Proposal or Demand having for its object to obtain either the Cession or the Exchange of any part whatsoever of the Territories belonging to the Crowns of Sweden and Norway, or the power of occupying certain points of the said Territories, or the Cession of Rights of Fishery, of Pasturage, or of any other Right upon the said Territories and upon the Coasts of Sweden and Norway, His Majesty the King of Sweden and Norway engages forthwith to communicate such Proposal or Demand to Her Britannic Majesty and His Majesty the Emperor of the French; and their said Majesties, on their part, engage to furnish to His Majesty the King of Sweden and Norway sufficient Naval and Military Forces to Co-operate with the Naval and Military Forces of His said Majesty, for the purpose of resisting the Pretensions or Aggressions of Russia. The description, number, and destination of such forces shall, if occasion should arise, be determined by common agreement between the 3 Powers.

*Ratifications.**

ART. III. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Stockholm as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Stockholm, the 21st of November, in the year of Our Lord, 1855.

(L.S.) ARTHUR C. MAGENIS.
(L.S.) VOR. LOBSTEIN.
(L.S.) STIERNELD.

* Ratifications exchanged at Stockholm, 21st December, 1855.

No. 263.—*FIRMAN and Hatti-Sheriff of the Sultan, relative to Privileges and Reforms in Turkey. 18th February, 1856.*

[This is the Firman referred to in the Treaty of Peace signed at Paris, 30th March, 1856, Art. IX, **No. 264.**].

(Translation.*)

Let it be done as herein set forth.

To you, my Grand Vizier, Mehemed Emin Aali Pasha, decorated with my Imperial Order of the Medjidiyé of the first class, and with the Order of Personal Merit; may God grant to you greatness, and increase your power!

It has always been my most earnest desire to insure the happiness of all classes of the subjects whom Divine Providence has placed under my Imperial Sceptre, and since my accession to the Throne I have not ceased to direct all my efforts to the attainment of that end.

Thanks to the Almighty, these unceasing efforts have already been productive of numerous useful results. From day to day the happiness of the Nation and the wealth of my Dominions go on augmenting.

It being now my desire to renew and enlarge still more the new Institutions ordained with the view of establishing a state of things conformable with the dignity of my Empire and the position which it occupies among civilized Nations, and the rights of my Empire having, by the fidelity and praiseworthy efforts of all my subjects, and by the kind and friendly assistance of the Great Powers, my noble Allies, received from abroad a confirmation which will be the commencement of a new era, it is my desire to augment its well-being and prosperity, to effect the happiness of all my subjects, who in my sight are all equal, and equally dear to me, and who are united to each other by the cordial ties of patriotism, and to insure the means of daily increasing the prosperity of my Empire.

I have therefore resolved upon, and I order the execution of the following measures.

The guarantees promised on our part by the Hatti-Humaïoun

* For French version, see "State Papers," vol. xlvii, p. 136.

of Gulhané (**No. 188**), and in conformity with the Tanzimat, to all the subjects of my Empire, without distinction of classes or of Religion, for the security of their persons and property and the preservation of their honour, are to-day confirmed and consolidated, and efficacious measures shall be taken in order that they may have their full and entire effect.

All the Privileges and Spiritual Immunities granted by my ancestors *ab antiquo*, and at subsequent dates, to all Christian communities or other non-Mussulman persuasions established in my Empire under my protection, shall be confirmed and maintained.

Every Christian or other non-Mussulman community shall be bound, within a fixed period, and with the concurrence of a Commission composed *ad hoc* of members of its own body, to proceed, with my high approbation and under the inspection of my Sublime Porte, to examine into its actual Immunities and Privileges, and to discuss and submit to my Sublime Porte the Reforms required by the progress of civilization and of the age. The powers conceded to the Christian Patriarchs and Bishops by the Sultan Mahomet II and his successors, shall be made to harmonize with the new position which my generous and beneficent intentions insure to these communities.

The principle of nominating the Patriarchs for life, after the revision of the rules of election now in force, shall be exactly carried out, conformably to the tenor of their Firmans of Investiture.

The Patriarchs, Metropolitans, Archbishops, Bishops, and Rabbins shall take an oath on their entrance into office according to a form agreed upon in common by my Sublime Porte and the spiritual heads of the different religious communities. The ecclesiastical dues, of whatever sort or nature they be, shall be abolished and replaced by fixed revenues of the Patriarchs and heads of communities, and by the allocation of allowances and salaries equitably proportioned to the importance, the rank, and the dignity of the different members of the Clergy.

The Property, real or personal, of the different Christian Ecclesiastics shall remain intact; the Temporal Administration of the Christian or other non-Mussulman communities shall, however, be placed under the safeguard of an Assembly to be chosen from among the members, both ecclesiastics and laymen, of the said communities.

In the towns, small boroughs, and villages, where the whole population is of the same Religion, no obstacle shall be offered to the repair, according to their original plan, of buildings set apart for Religious Worship, for Schools, for Hospitals, and for Cemeteries.

The plans of these different buildings, in case of their new erection, must, after having been approved by the Patriarchs or heads of communities, be submitted to my Sublime Porte, which will approve of them by my Imperial order, or make known its observations upon them within a certain time.

Each Sect, in localities where there are no other Religious Denominations, shall be free from every species of restraint as regards the public exercise of its Religion.

In the towns, small boroughs, and villages where different sects are mingled together, each community, inhabiting a distinct quarter, shall, by conforming to the above-mentioned ordinances, have equal power to repair and improve its Churches, its Hospitals, its Schools, and its Cemeteries. When there is question of the erection of new buildings, the necessary authority must be asked for through the medium of the Patriarchs and heads of communities from my Sublime Porte, which will pronounce a Sovereign decision according that authority, except in the case of administrative obstacles. The intervention of the administrative authority in all measures of this nature will be entirely gratuitous. My Sublime Porte will take energetic measures to ensure to each sect, whatever be the number of its adherents, entire Freedom in the exercise of its Religion.

Every distinction or designation tending to make any class whatever of the subjects of my Empire inferior to another class, on account of their Religion, Language, or Race, shall be for ever effaced from the Administrative Protocol. The laws shall be put in force against the use of any injurious or offensive term, either among private individuals or on the part of the authorities.

As all forms of Religion are and shall be freely professed in my dominions, no subject of my Empire shall be hindered in the exercise of the Religion that he professes, nor shall be in any way annoyed on this account. No one shall be compelled to change their Religion.

The nomination and choice of all Functionaries and other Employés of my Empire being wholly dependent upon my Sovereign will, all the subjects of my Empire, without distinc-

tion of nationality, shall be admissible to public employments, and qualified to fill them according to their capacity and merit, and conformably with rules to be generally applied.

All the subjects of my Empire, without distinction, shall be received into the Civil and Military Schools of the Government, if they otherwise satisfy the conditions as to age and examination which are specified in the Organic Regulations of the said Schools. Moreover, every community is authorised to establish Public Schools of Science, Art, and Industry. Only the method of instruction and the choice of Professors in schools of this class shall be under the control of a Mixed Council of Public Instruction, the members of which shall be named by my Sovereign command.

All Commercial, Correctional, and Criminal Suits between Mussulmans and Christian or other non-Mussulman subjects, or between Christians or other non-Mussulmans of different sects, shall be referred to Mixed Tribunals.

The proceedings of these Tribunals shall be public: the parties shall be confronted, and shall produce their witnesses, whose testimony shall be received, without distinction, upon an oath taken according to the religious law of each sect.

Suits relating to Civil affairs shall continue to be publicly tried, according to the laws and regulations, before the Mixed Provincial Councils, in the presence of the Governor and Judge of the place. Special Civil Proceedings, such as those relating to Successions or others of that kind, between subjects of the same Christian or other non-Mussulman faith, may, at the request of the parties, be sent before the Councils of the Patriarchs or of the communities.

Penal, Correctional, and Commercial Laws, and Rules of Procedure for the Mixed Tribunals, shall be drawn up as soon as possible, and formed into a Code. Translations of them shall be published in all the languages current in the Empire.

Proceedings shall be taken, with as little delay as possible, for the Reform of the Penitentiary System as applied to Houses of Detention, Punishment, or Correction, and other establishments of like nature, so as to reconcile the rights of humanity with those of justice. Corporal punishment shall not be administered, even in the prisons, except in conformity with the disciplinary regulations established by my Sublime Porte, and everything that resembles torture shall be entirely abolished.

Infractions of the law in this particular shall be severely

repressed, and shall besides entail, as of right the punishment, in conformity with the Civil Code, of the authorities who may order and of the agents who may commit them.

The organization of the Police in the capital, in the provincial towns, and in the rural districts, shall be revised in such a manner as to give to all the peaceable subjects of my Empire the strongest guarantees for the safety both of their persons and property.

The equality of Taxes entailing equality of burdens, as equality of duties entails that of rights, Christian subjects, and those of other non-Mussulman sects, as it has been already decided, shall, as well as Mussulmans, be subject to the obligations of the Law of Recruitment. The principle of obtaining substitutes, or of purchasing exemption, shall be admitted. A complete law shall be published, with as little delay as possible, respecting the admission into and service in the Army of Christian and other non-Mussulman subjects.

Proceedings shall be taken for a Reform in the Constitution of the Provincial and Communal Councils, in order to ensure fairness in the choice of the Deputies of the Mussulman, Christian, and other communities, and freedom of voting in the Councils. My Sublime Porte will take into consideration the adoption of the most effectual means for ascertaining exactly and for controlling the result of the deliberations and of the decisions arrived at.

As the Laws regulating the purchase, sale, and disposal of Real Property are common to all the subjects of my Empire, it shall be lawful for Foreigners to possess Landed Property in my dominions, conforming themselves to the laws and police regulations, and bearing the same charges as the native inhabitants, and after arrangements have been come to with Foreign Powers.*

The Taxes are to be levied under the same denomination from all the subjects of my Empire, without distinction of class or of Religion. The most prompt and energetic means for remedying the abuses in collecting the Taxes, and especially the Tithes, shall be considered. The system of direct collection shall gradually, and as soon as possible, be substituted for the plan of

* On the 18th January, 1867, a Law was passed granting to Foreigners the right to hold Real Property in the Ottoman Empire; and on the 28th July, 1868, a Protocol was signed between the British and Turkish Governments relative to the admission of British Subjects to the right of holding Real Property in Turkey.

Farming, in all the branches of the Revenues of the State. As long as the present system remains in force, all agents of the Government and all members of the Medjlis shall be forbidden, under the severest penalties, to become Lessees of any Farming Contracts which are announced for public competition, or to have any beneficial interest in carrying them out. The Local Taxes shall, as far as possible, be so imposed as not to affect the sources of production or to hinder the progress of internal commerce.

Works of public utility shall receive a suitable endowment, part of which shall be raised from private and special taxes levied in the Provinces, which shall have the benefit of the advantages arising from the establishment of ways of communication by land and sea.

A special Law having been already passed, which declares that the Budget of the Revenue and Expenditure of the State shall be drawn up and made known every year, the said law shall be most scrupulously observed. Proceedings shall be taken for revising the emoluments attached to each office.

The heads of each Community and a Delegate, designated by my Sublime Porte, shall be summoned to take part in the deliberations of the Supreme Council of Justice on all occasions which might interest the generality of the subjects of my Empire. They shall be summoned specially for this purpose by my Grand Vizier. The Delegates shall hold office for one year; they shall be sworn on entering upon their duties. All the Members of the Council, at the ordinary and extraordinary meetings shall freely give their opinions and their votes, and no one shall ever annoy them on this account.

The Laws against Corruption, Extortion, or Malversation shall apply, according to the legal forms, to all the subjects of my Empire, whatever may be their class and the nature of their duties.

Steps shall be taken for the formation of Banks and other similar Institutions, so as to effect a reform in the monetary and financial system, as well as to create Funds to be employed in augmenting the sources of the material wealth of my Empire.

Steps shall also be taken for the formation of Roads and Canals to increase the facilities of communication and increase the sources of the wealth of the country. Everything that can impede commerce or agriculture shall be abolished. To accom-

plish these objects means shall be sought to profit by the science, the art, and the funds of Europe, and thus gradually to execute them.

Such being my wishes and my commands, you, who are my Grand Vizier, will, according to custom, cause this Imperial Firman to be published in my capital and in all parts of my Empire; and you will watch attentively, and take all the necessary measures that all the orders which it contains be henceforth carried out with the most rigorous punctuality.

10 Dzemaziul, 1272 (18th February, 1856).

No. 264.—*GENERAL TREATY of Peace between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey. Signed at Paris, 30th March, 1856.**

ART. TABLE.

Preamble. Integrity and Independence of *Ottoman Empire.*
1. Peace and Friendship.
2. Evacuation of Territories.
3. Restoration of *Kars*, &c., to *Turkey.*
4. Restoration of *Sebastopol, Balaklava, Kamiesch, Eupatoria, Kertch, Jenikale, Kinburn*, &c., to *Russia.*
5. Amnesty.
6. Prisoners of War.
7. Admission of the *Sublime Porte* into the *European System.* Guarantee of Independence of Ottoman Empire.†
8. Mediation, in event of misunderstanding, between the *Sublime Porte* and one or more of the Contracting Powers.
9. Amelioration of condition of Christian Population of *Ottoman Empire.* Non-interference of Allies in Internal Affairs of *Ottoman Empire.*
10. Closing of *Straits* of *Bosphorus* and *Dardanelles.*
11. Neutralisation of the *Black Sea.*
12. Commercial Regulations in the *Black Sea.* Appointment of Foreign Consuls in Ports of *Black Sea.*
13. Military-maritime Arsenals not to be established or maintained on Coasts of *Black Sea.*
14. *Russian* and *Ottoman* Naval Force in *Black Sea.*
15. Free Navigation of the *Danube.* Duties and Regulations of Police and Quarantine in the *Danube.*
16. Appointment of *Danube European* Commission. Duties to be levied in the *Danube.*
17. Appointment of *Danube River* Commission.
18. Period of dissolution of *European* Commission of the *Danube.*
19. Right of Contracting Powers to establish 2 Light Vessels at the *Mouths* of the *Danube.*
20. Rectification of Frontier of *Bessarabia.* Delegates to trace New Frontier.
21. *Russian* Cessions in *Bessarabia* to be annexed to *Moldavia.* Rights and Privileges of Inhabitants of ceded Territory.
22. Guarantee of Privileges and Immunities of *Wallachia* and *Moldavia.*
23. Independent and National Administration, &c., of *Principalities.* Appointment of Commission for Revision of Laws and Statutes. Duties of Commission.

* An Armistice was concluded between the Belligerent Powers on the 14th March, 1856.

† See Separate Treaty between Great Britain, Austria, and France, of 15th April, 1856.

ART. TABLE.

24. Convocation of Divans *ad hoc*, for Organisation of *Principalities*. Congress to issue Instructions.
25. *Principalities*. Result of Labours of Divans to be sent to Conferences. *Principality* Convention to record final Agreement with Suzerain Power.
26. National Armed Force in *Principalities*.
27. Maintenance of internal tranquillity in *Principalities*.
28. Rights and Immunities of *Servia* guaranteed by Contracting Powers. *Servia*. Independent and National Administration.
29. Right of Garrison of *Sublime Porte*, maintained by force of Arms. Non-Intervention in *Servia*.
30. Maintenance of Integrity of *Russian* and *Ottoman* Possessions in *Asia*. Line of Frontier to be verified. Appointment of Frontier Commission.
31. Evacuation of Territories by Allied Troops.
32. Maintenance of Treaties of Commerce. Treatment of most favoured Nation.
33. *Aland Islands*.
34. Ratifications.

Additional and Transitory Article.

Stipulations relative to the *Straits of Dardanelles* and *Bosphorus* to take effect after evacuation of Territories by Sea and Land.

[For *Annexes*, see **Nos. 265, 266, 267.**]

(Translation as laid before Parliament.*)

Integrity and Independence of Ottoman Empire.

In the Name of Almighty God.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, the Emperor of All the Russias, the King of Sardinia, and the Emperor of the Ottomans, animated by the desire of putting an end to the calamities of War, and wishing to prevent the return of the complications which occasioned it, resolved to come to an understanding with His Majesty the Emperor of Austria as to the bases on which Peace might be re-established and consolidated, by securing, through effectual and reciprocal guarantees, the Independence and Integrity of the Ottoman Empire.

For this purpose their said Majesties named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William

* For French version, see "State Papers," vol. xlvi, p. 8.

Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.; and the Right Honourable Henry Richard Charles Baron Cowley, a Peer of the United Kingdom, a Member of Her Majesty's Most Honourable Privy Council, Her Majesty's Ambassador Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, the Sieur Charles Ferdinant Count of Buol-Schauenstein, his Chamberlain and actual Privy Councillor, his Minister of the House and of Foreign Affairs, President of the Conference of Ministers, &c.; and the Sieur Joseph Alexander Baron de Hübner, his actual Privy Councillor, and his Envoy Extraordinary and Minister Plenipotentiary to the Court of France, &c.;

His Majesty the Emperor of the French, the Sieur Alexander Count Colonna Walewski, a Senator of the Empire, his Minister and Secretary of State for Foreign Affairs, &c.; and the Sieur Francis Adolphus Baron de Bourqueney, his Envoy Extraordinary and Minister Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Alexis Count Orloff, his Aide-de-Camp General and General of Cavalry, Commander of the Head-quarters of His Majesty, a Member of the Council of the Empire and of the Committee of Ministers, &c.; and the Sieur Philip, Baron de Brunnow, his Privy Councillor, his Envoy Extraordinary and Minister Plenipotentiary to the Germanic Confederation, and to the Grand Duke of Hesse, &c.;

His Majesty the King of Sardinia, the Sieur Camille Benso, Count of Cavour, President of the Council of Ministers, and his Minister Secretary of State for the Finance, &c.; and the Sieur Salvator Marquis de Villa-Marina, his Envoy Extraordinary and Minister Plenipotentiary to the Court of France, &c.;

And His Majesty the Emperor of the Ottomans, Mouhammed Emin Aali Pasha, Grand Vizier of the Ottoman Empire, &c.; and Mehemmed Djemil Bey, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, accredited in the same character to His Majesty the King of Sardinia, &c.;

Which Plenipotentiaries assembled in Congress at Paris.*

* See page 1274.

An understanding having been happily established between them, their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the Emperor of All the Russias, the King of Sardinia, and the Emperor of the Ottomans, considering that in the interest of Europe, His Majesty the King of Prussia, a signing party to the Convention of the 13th of July, 1841 (**No. 193**), should be invited to participate in the new arrangements to be adopted, and appreciating the value that the concurrence of His said Majesty would add to a work of general pacification, invited him to send Plenipotentiaries to the Congress.

In consequence, His Majesty the King of Prussia named as his Plenipotentiaries, that is to say:

The Sieur Otho Theodore Baron de Manteuffel, President of his Council, and his Minister for Foreign Affairs, &c.; and the Sieur Maximilian Frederick Charles Francis, Count of Hatzfeldt Wildenburg-Schoenstein, his actual Privy Councillor, his Envoy and Minister Plenipotentiary to the Court of France, &c.;

The Plenipotentiaries, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Peace and Friendship.

ART. I. From the day of the exchange of the Ratifications of the present Treaty* there shall be Peace and Friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of the French, His Majesty the King of Sardinia, His Imperial Majesty the Sultan, on the one part, and His Majesty the Emperor of All the Russias, on the other part; as well as between their heirs and successors, their respective dominions and subjects, in perpetuity.

Evacuation of Territories.

ART. II. Peace being happily re-established between their said Majesties, the Territories conquered or occupied by their armies during the War shall be reciprocally evacuated.

Special arrangements shall regulate the mode of the Evacuation, which shall be as prompt as possible.†

Restoration of Kars, &c., to Turkey,

ART. III. His Majesty the Emperor of All the Russias engages

* 27th April, 1856. † See Art. XXXI.

to restore to His Majesty the Sultan the Town and Citadel of Kars, as well as the other parts of the Ottoman Territory of which the Russian troops are in possession.

Restoration of Sebastopol, Balaklava, Kamiesch, Eupatoria, Kertch, Jenikale, Kinburn, &c., to Russia.

ART. IV. Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, the King of Sardinia, and the Sultan, engage to restore to His Majesty the Emperor of All the Russias, the Towns and Ports of Sebastopol, Balaklava, Kamiesch, Eupatoria, Kertch, Jenikale, Kinburn, as well as all other Territories occupied by the Allied Troops.*

Amnesty.

ART. V. Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, the Emperor of All the Russias, the King of Sardinia, and the Sultan, grant a full and entire Amnesty to those of their subjects who may have been compromised by any participation whatsoever in the events of the War in favour of the cause of the enemy.

It is expressly understood that such Amnesty shall extend to the subjects of each of the Belligerent Parties who may have continued, during the War, to be employed in the service of one of the other Belligerents.

Prisoners of War.

ART. VI. Prisoners of War shall be immediately given up on either side.

Admission of the Sublime Porte into the European System. Guarantee of Independence of Ottoman Empire.

ART. VII. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, His Majesty the Emperor of the French, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, and His Majesty the King of Sardinia, declare the Sublime Porte admitted to participate in the advantages of the Public Law and System (*Concert*) of Europe. Their Majesties engage, each on his part,

* See Art. XX.

to respect the Independence and the Territorial Integrity of the Ottoman Empire; Guarantee in common the strict observance of that engagement; and will, in consequence, consider any act tending to its violation as a question of general interest.*

Mediation in event of Misunderstanding between the Sublime Porte and one or more of the Contracting Powers.

ART. VIII. If there should arise between the Sublime Porte and one or more of the other Signing Powers, any misunderstanding which might endanger the maintenance of their relations, the Sublime Porte, and each of such Powers, before having recourse to the use of force, shall afford the other Contracting Parties the opportunity of preventing such an extremity by means of their Mediation.†

Amelioration of Condition of Christian Population of Ottoman Empire.

ART. IX. His Imperial Majesty the Sultan having, in his constant solicitude for the welfare of his subjects, issued a Firman (**No. 263**), which, while ameliorating their condition without distinction of Religion or of Race, records his generous intentions towards the Christian population of his Empire, and wishing to give a further proof of his sentiments in that respect, has resolved to communicate to the Contracting Parties the said Firman, emanating spontaneously from his Sovereign will.

Non-interference of Allies in Internal Affairs of Ottoman Empire.

The Contracting Powers recognise the high value of this communication. It is clearly understood that it cannot, in any case, give to the said Powers the right to interfere, either collectively or separately, in the relations of His Majesty the Sultan with his subjects, nor in the Internal Administration of his Empire.

Closing of Straits of Bosphorus and Dardanelles.‡

ART. X. The Convention of 13th of July, 1841 (**No. 193**), which maintains the ancient rule of the Ottoman Empire relative

* See Separate Treaty between Great Britain, Austria, and France, of 15th April, 1856.

† See also Protocol of 14th April, 1856.

‡ See Separate Convention of the same date, page 1266.

to the Closing of the Straits of the Bosphorus and of Dardanelles, has been revised by common consent.

The Act concluded for that purpose, and in conformity with that principle, between the High Contracting Parties, is and remains annexed to the present Treaty, and shall have the same force and validity as if it formed an integral part thereof (**No. 265**).

*Neutralisation of the Black Sea.**

ART. XI. The Black Sea is Neutralised; its Waters and its Ports, thrown open to the Mercantile Marine of every Nation, are formally and in perpetuity interdicted to the Flag of War, either of the Powers possessing its Coasts, or of any other Power, with the exceptions mentioned in Articles XIV and XIX of the present Treaty.

Commercial Regulations in the Black Sea.

ART. XII. Free from any impediment, the Commerce in the Ports and Waters of the Black Sea shall be subject only to Regulations of Health, Customs, and Police, framed in a spirit favourable to the development of Commercial transactions.

Appointment of Foreign Consuls in Ports of Black Sea.

In order to afford to the Commercial and Maritime interests of every Nation the security which is desired, Russia and the Sublime Porte will admit Consuls into their Ports situated upon the Coast of the Black Sea, in conformity with the principles of International Law.

Military-Maritime Arsenals not to be Established or Maintained on Coasts of Black Sea.†

ART. XIII. The Black Sea being Neutralised according to the terms of Article XI, the maintenance or establishment upon its Coast of Military-Maritime Arsenals becomes alike unnecessary and purposeless; in consequence, His Majesty the Emperor of All the Russias, and His Imperial Majesty the Sultan, engage not to establish or to maintain upon that Coast any Military-Maritime Arsenal.

* Abrogated by the General Treaty of 13th March, 1871. See also Separate Treaty between Russia and Turkey of the same date.

† Abrogated by the General Treaty of 13th March, 1871.

*Russian and Ottoman Naval Force in Black Sea.**

ART. XIV. Their Majesties the Emperor of All the Russias and the Sultan having concluded a Convention for the purpose of settling the Force and the Number of Light Vessels, necessary for the service of their Coasts, which they reserve to themselves to maintain in the Black Sea, that Convention is annexed to the present Treaty (**No. 266**), and shall have the same force and validity as if it formed an integral part thereof. It cannot be either annulled or modified without the assent of the Powers signing the present Treaty.*

Free Navigation of the Danube.

ART. XV. The Act of the Congress of Vienna (**No. 27**), having established the principles intended to regulate the Navigation of Rivers which separate or traverse different States, the Contracting Powers stipulate among themselves that those principles shall in future be equally applied to the Danube and its Mouths. They declare that its arrangement henceforth forms a part of the Public Law of Europe, and take it under their Guarantee.†

Duties and Regulations of Police and Quarantine in the Danube.

The Navigation of the Danube cannot be subjected to any impediment or charge not expressly provided for by the Stipulations contained in the following Articles: in consequence, there shall not be levied any Toll founded solely upon the fact of the Navigation of the River, nor any Duty upon the Goods which may be on board of Vessels. The Regulations of Police and of Quarantine to be established for the safety of the States separated or traversed by that River, shall be so framed as to facilitate, as much as possible, the passage of Vessels. With the exception of such Regulations, no obstacle whatever shall be opposed to Free Navigation.

* Abrogated by the General Treaty of 13th March, 1871. See also Declaration annexed to the Protocol of 17th January, 1871.

† See Act between Austria, Russia, and the United Principalities, respecting the Navigation of the Pruth, of $\frac{3rd}{15th}$ December, 1866; and notes, pages 1258, 1259.

*Appointment of Danube European Commission.**

ART. XVI. With a view to carry out the arrangements of the preceding Article, a Commission, in which Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, shall each be represented by one delegate, shall be charged to designate and to cause to be executed the Works necessary below Isatcha, to clear the Mouths of the Danube, as well as the neighbouring parts of the Sea, from the sands and other impediments which obstruct them, in order to put that part of the River and the said parts of the Sea in the best possible state for Navigation.

Duties to be levied in the Danube.

In order to cover the Expenses of such Works, as well as of the establishments intended to secure and to facilitate the Navigation at the Mouths of the Danube, fixed Duties, of a suitable rate, settled by the Commission by a majority of votes, may be levied, on the express condition that, in this respect as in every other, the Flags of all Nations shall be treated on the footing of perfect equality.

Appointment of Danube River Commission.†

ART. XVII. A Commission shall be established, and shall be composed of delegates of Austria, Bavaria, the Sublime Porte, and Wurtemberg (one for each of those Powers), to whom shall be added Commissioners from the Three Danubian Principalities, whose nomination shall have been approved by the Porte. This Commission, which shall be permanent: 1. Shall prepare Regulations of Navigation and River Police; 2. Shall remove the impediments, of whatever nature they may be, which still prevent the application to the Danube of the Arrangements of the Treaty of Vienna (**No. 27**); 3. Shall order and cause to be executed the necessary Works throughout the whole course of the River; and 4. Shall, after the dissolution of the European Commission, see to maintaining the Mouths of the Danube and the neighbouring parts of the Sea in a navigable state.

* An Act relative to the Navigation of the Lower Danube was signed at Galatz on the 2nd November, 1865. See Table of Protocols of Conferences held at Paris, from 22nd May to 19th August, 1858, page 1325; and on the 28th March, 1866.

† Act 7th November, 1857.

*Period of Dissolution of European Commission.**

ART. XVIII. It is understood that the European Commission shall have completed its task, and that the River Commission shall have finished the Works described in the preceding Article, under Nos. 1 and 2, within the period of two years. The signing Powers assembled in Conference having been informed of that fact, shall, after having placed it on record, pronounce the Dissolution of the European Commission, and from that time the permanent River Commission shall enjoy the same powers as those with which the European Commission shall have until then been invested.

Right of Contracting Powers to establish Two Light Vessels at the Mouths of the Danube.

ART. XIX. In order to insure the execution of the Regulations which shall have been established by common agreement, in conformity with the principles above declared, each of the Contracting Powers shall have the right to station, at all times, Two Light Vessels at the Mouths of the Danube.

Rectification of Frontier of Bessarabia.†

ART. XX. In exchange for the Towns, Ports, and Territories enumerated in Article IV of the present Treaty, and in order more fully to secure the Freedom of the Navigation of the Danube, His Majesty the Emperor of All the Russias consents to the rectification of his Frontier in Bessarabia.

The new Frontier shall begin from the Black Sea, one kilometre to the east of the Lake Bourna Sola, shall run perpendicularly to the Akerman Road, shall follow that road to the Val de Trajan, pass to the south of Bolgrad, ascend the course of the River Yalpuck to the Height of Saratsika, and terminate at Katamori on the Pruth. Above that point the old Frontier between the Two Empires shall not undergo any modification.

Delegates to trace New Frontier.

Delegates of the Contracting Powers shall fix, in its details, the Line of the new Frontier.

* The duration of this Commission was, by a Protocol of the Paris Conference of 28th March, 1866, extended to the 24th April, 1871; and, by the General Treaty of 13th March, 1871, it was finally extended to the 24th April, 1883.

† See Protocol of 6th January, 1857; and Treaty of 19th June, 1857.

Russian Cessions in Bessarabia to be annexed to Moldavia.

ART. XXI. The Territory ceded by Russia shall be Annexed to the Principality of Moldavia, under the Suzerainty of the Sublime Porte.

Rights and Privileges of Inhabitants of ceded Territory.

The Inhabitants of that Territory shall enjoy the Rights and Privileges secured to the Principalities; and during the space of 3 years, they shall be permitted to transfer their domicile elsewhere, disposing freely of their Property.

*Guarantee of Privileges and Immunities of Wallachia and Moldavia.**

ART. XXII. The Principalities of Wallachia and Moldavia shall continue to enjoy under the Suzerainty of the Porte, and under the Guarantee of the Contracting Powers, the Privileges and Immunities of which they are in possession. No exclusive Protection shall be exercised over by them by any of the guaranteeing Powers.

Non-interference in Internal Affairs.

There shall be no separate right of interference in their Internal Affairs.

Independent and National Administration, &c., of Principalities.

ART. XXIII. The Sublime Porte engages to preserve to the said Principalities an Independent and National Administration, as well as full liberty of Worship, of Legislation, of Commerce, and of Navigation.

Principalities. Appointment of Commission for Revision of Laws and Statutes.

The Laws and Statutes at present in force shall be revised. In order to establish a complete agreement in regard to such revision, a Special Commission, as to the composition of which the High Contracting Powers will come to an understanding among themselves, shall assemble, without delay, at Bucharest, together with a Commissioner of the Sublime Porte.†

* See Convention of 19th August, 1858; Protocol of 6th September, 1859; and Additional Act of 28th June, 1864.

† The Commission commenced its sittings on the 30th May, 1857. The Divans *ad hoc* of the two Principalities were also convoked by the Sultan.

Duties of Commission.

The business of this Commission shall be to investigate the present state of the Principalities, and to propose bases for their future organization.

Convocation of Divans ad hoc *for the Organization of Principalities.*

ART. XXIV. His Majesty the Sultan promises to convoke immediately in each of the two Provinces a Divan *ad hoc*, composed in such a manner as to represent most closely the interests of all classes of society. These Divans shall be called upon to express the wishes of the people in regard to the definitive organization of the Principalities.*

Congress to issue Instructions.

An Instruction from the Congress shall regulate the relations between the Commission and these Divans.

Principalities. Result of Labours of Divans to be sent to Conferences.

ART. XXV. Taking into consideration the opinion expressed by the two Divans, the Commission shall transmit, without delay, to the present seat of the Conferences, the result of its own labours.

Principalities. Convention to record Final Agreement with Suzerain Power.

The Final Agreement with the Suzerain Power shall be recorded in a Convention to be concluded at Paris between the High Contracting Parties; and a Hatti-sheriff,† in conformity with the stipulations of the Convention, shall constitute definitively the organization of those Provinces, placed thenceforward under the Collective Guarantee of all the signing Powers.

National Armed Force in Principalities.

ART. XXVI. It is agreed that there shall be in the Principalities a National Armed Force, organized with the view to maintain the security of the interior, and to ensure that of the Frontiers. No impediment shall be opposed to the extraordinary measures of

* See note, page 1260.

† See Firmans of 6th December, 1861, and 23rd October, 1866.

defence which, by agreement with the Sublime Porte, they may be called upon to take in order to repel any external aggression.

Maintenance of Internal Tranquillity in Principalities.

ART. XXVII. If the Internal Tranquillity of the Principalities should be menaced or compromised, the Sublime Porte shall come to an understanding with the other Contracting Powers in regard to the measures to be taken for maintaining or re-establishing legal order.

Non-intervention by force of Arms in Principalities.

No armed Intervention can take place without previous agreement between those Powers.

Rights and Immunities of Servia guaranteed by Contracting Powers.

ART. XXVIII. The Principality of Servia shall continue to hold of the Sublime Porte, in conformity with the Imperial Hats [**Nos. 146, 150, 169, 182**] which fix and determine its Rights and Immunities, placed henceforward under the Collective Guarantee of the Contracting Powers.*

Servia. Independent and National Administration.

In consequence, the said Principality shall preserve its Independent and National Administration, as well as full Liberty of Worship, of Legislation, of Commerce, and of Navigation.

Right of Garrison of Sublime Porte maintained. Non-Intervention by force of Arms in Servia.

ART. XXIX. The right of garrison of the Sublime Porte, as stipulated by anterior regulations, is maintained. No Armed Intervention can take place in Servia without previous agreement between the High Contracting Powers.

Maintenance of Integrity of Russian and Ottoman Possessions in Asia.

ART. XXX. His Majesty the Emperor of All the Russias and His Majesty the Sultan maintain in its Integrity the state of their

* Prince Milosch Obrenovitch was elected Hospodar of Servia on the 9th February, 1859. He died on the 26th September, 1860, and was succeeded by Prince Michael, who was assassinated on the 10th June, 1868. Prince Milan succeeded to the Hospodariat on the 30th June, 1868, was crowned at Belgrade, and assumed the Government on the 22nd August, 1872.—See also Protocol of 4th September, 1862.

possessions in Asia, such as it legally existed before the rupture.

Line of Frontier to be verified.

In order to prevent all local dispute the Line of Frontier shall be verified, and, if necessary, rectified, without any prejudice as regards Territory being sustained by either Party.

Appointment of Frontier Commission.

For this purpose a Mixed Commission, composed of two Russian Commissioners, two Ottoman Commissioners, one English Commissioner, and one French Commissioner, shall be sent to the spot immediately after the re-establishment of diplomatic relations between the Court of Russia and the Sublime Porte. Its labours shall be completed within the period of 8 months after the exchange of the Ratifications of the present Treaty.*

Evacuation of Territories by Allied Troops.

ART. XXXI. The Territories occupied during the War by the troops of their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, and the King of Sardinia, according to the terms of the Conventions signed at Constantinople on the 12th of March, 1854, between Great Britain, France, and the Sublime Porte (**No. 237**); on the 14th of June of the same year, between Austria and the Sublime Porte (**No. 249**); and on the 15th of March, 1855, between Sardinia and the Sublime Porte; shall be evacuated as soon as possible after the exchange of the Ratifications of the present Treaty. The periods and the means of execution shall form the object of an arrangement between the Sublime Porte and the Powers whose troops have occupied its Territory.

Maintenance of Treaties of Commerce. Treatment of Most Favoured Nation.

ART. XXXII. Until the Treaties or Conventions which existed before the War between the Belligerent Powers have been either renewed or replaced by new Acts, Commerce of importation or of exportation shall take place reciprocally on the footing of the regulations in force before the War; and in all other matters their

* See Final Act of 5th December, 1857; Protocol of 28th April, 1858; and Supplementary Act of 30th August, 1858.

subjects shall be respectively treated upon the footing of the Most Favoured Nation.

Aland Islands.

ART. XXXIII. The Convention concluded this day between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, on the one part, and His Majesty the Emperor of All the Russias on the other part, respecting the Aland Islands (**No. 267**), is and remains annexed to the present Treaty, and shall have the same force and validity as if it formed a part thereof.

*Ratifications.**

ART. XXXIV. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Paris in the space of 4 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 30th day of the month of March, in the year 1856.

(L.S.) CLARENDON.
(L.S.) COWLEY.
(L.S.) BUOL-SCHAUENSTEIN.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) BOURQUENEY.
(L.S.) MANTEUFFEL.
(L.S.) C. M. D'HATZFELDT.
(L.S.) ORLOFF.
(L.S.) BRUNNOW.
(L.S.) C. CAVOUR.
(L.S.) DE VILLAMARINA.
(L.S.) AALI.
(L.S.) MEHEMMED DJEMIL.

* Ratifications exchanged at Paris, 27th April, 1856.

ADDITIONAL AND TRANSITORY ARTICLE. PARIS, 30TH MARCH, 1856.

Stipulations relative to the Straits of Dardanelles and Bosphorus to take effect after Evacuation of Territories by Sea and Land.

The Stipulations of the Convention respecting the Straits, signed this day, shall not be applicable to the Vessels of War employed by the Belligerent Powers for the evacuation, by Sea, of the Territories occupied by their Armies ; but the said Stipulations shall resume their entire effect as soon as the Evacuation shall be terminated.

Done at Paris, the 30th day of the month of March, in the year 1856.

(L.S.) CLARENDON.
(L.S.) COWLEY.
(L.S.) BUOL-SCHAUENSTEIN.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) BOURQUENEY.
(L.S.) MANTEUFFEL.
(L.S.) C. M. D'HATZFELDT.
(L.S.) ORLOFF.
(L.S.) BRUNNOW.
(L.S.) C. CAVOUR.
(L.S.) DE VILLAMARINA.
(L.S.) AALI.
(L.S.) MEHEMMED DJEMIL.

No. 265.—*CONVENTION between Great Britain, Austria, France, Prussia, Russia, and Sardinia, on the one part, and the Sultan, on the other part, respecting the Straits of the Dardanelles and of the Bosphorus. Signed at Paris, 30th March,* 1856.*

[This Convention was annexed to the General Treaty of Peace of the same date, Article X, **No. 264.**]

ART. TABLE.

Preamble. Reference to Treaty of 13th July, 1841.
1. Prohibition to Foreign Ships of War to enter *Bosphorus* and *Dardanelles*. Agreement of 6 Powers to respect this Prohibition.
2. Admission, under Firman, of Light Vessels in service of Foreign Missions.
3. Light Vessels, under Flag of War, stationed at Mouths of the *Danube*.
4. Ratifications.

(Translation as laid before Parliament.†)

In the Name of Almighty God.

Reference to Treaty of 13th July, 1841.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of All the Russias, signing Parties to the Convention of the 13th day of July, 1841 (**No. 193**), and His Majesty the King of Sardinia; wishing to record in common their unanimous determination to conform to the ancient rule of the Ottoman Empire, according to which the Straits of the Dardanelles and of the Bosphorus are Closed to Foreign Ships of War, so long as the Porte is at Peace;

Their said Majesties, on the one part, and His Majesty, the Sultan, on the other, have resolved to renew the Convention concluded at London on the 13th day of July, 1841 (**No. 193**), with the exception of some modifications of detail which do not affect the principle upon which it rests;

In consequence their said Majesties have named for that purpose as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William

* See also General Treaty of 13th March, 1871, Article II.

† For French Version, see "State Papers," vol. xlvi, p. 18.

Frederick Earl of Clarendon, Baron Hyde of Hindon, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.; and the Right Honourable Henry Richard Charles Baron Cowley, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, the Sieur Charles Ferdinand Count of Buol-Schauenstein, his Minister of the House and of Foreign Affairs, President of the Conference of Ministers, &c.; and the Sieur Joseph Alexander Baron de Hübner, his Envoy Extraordinary and Minister Plenipotentiary to the Court of France, &c.;

His Majesty the Emperor of the French, the Sieur Alexander Count Colonna Walewski, his Minister and Secretary of State for Foreign Affairs, &c.; and the Sieur Francis Adolphus Baron de Bourqueney, his Envoy Extraordinary and Minister Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.;

His Majesty the King of Prussia, the Sieur Otho Theodore Baron de Manteuffel, President of his Council, and his Minister for Foreign Affairs, &c.; and the Sieur Maximilian Frederick Charles Francis Count of Hatzfeldt Wildenburg-Schoenstein, his Envoy Extraordinary and Minister Plenipotentiary to the Court of France, &c.;

His Majesty the Emperor of All the Russias, the Sieur Alexis Count Orloff, a Member of the Council of the Empire and of the Committee of Ministers, &c.; and the Sieur Philip Baron de Brunnow, his Privy Councillor, his Envoy Extraordinary and Minister Plenipotentiary to the Germanic Confederation and to the Grand Duke of Hesse, &c.;

His Majesty the King of Sardinia, the Sieur Camille Benso, Count of Cavour, President of the Council of Ministers, and his Minister Secretary of State for the Finances, &c.; and the Sieur Salvator Marquis de Villamarina, his Envoy Extraordinary and Minister Plenipotentiary to the Court of France, &c.;

And His Majesty the Emperor of the Ottomans, Mouhammed Emin Aali Pasha, Grand Vizier of the Ottoman Empire, &c.; and Mehemmed Djemil Bey, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, accredited in the same character to His Majesty the King of Sardinia, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:—

Prohibition to Foreign Ships of War to enter Bosphorus and Dardanelles.

ART. I. His Majesty the Sultan, on the one part, declares that he is firmly resolved to maintain for the future the principle invariably established as the ancient rule of his Empire, and in virtue of which it has, at all times, been prohibited for the Ships of War of Foreign Powers to enter the Straits of the Dardanelles and of the Bosphorus; and that, so long as the Porte is at Peace, His Majesty will admit no Foreign Ship of War into the said Straits.

Agreement of 6 Powers to respect this Prohibition.

And Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of All the Russias, and the King of Sardinia, on the other part, engage to respect this determination of the Sultan, and to conform themselves to the principle above declared.

Admission, under Firman, of Light Vessels in Service of Foreign Missions.

ART. II. The Sultan reserves to himself, as in past times, to deliver Firmans of Passage for Light Vessels under Flag of War, which shall be employed, as is usual in the service of the Missions of Foreign Powers.

Light Vessels, under Flag of War, Stationed at Mouths of the Danube.

ART. III. The same exception applies to the Light Vessels under Flag of War, which each of the Contracting Powers is authorised to station at the Mouths of the Danube in order to secure the execution of the Regulations relative to the liberty of that River, and the number of which is not to exceed two for each Power.

*Ratifications.**

ART. IV. The present Convention, annexed to the General Treaty signed at Paris this day, shall be ratified, and the Ratifications shall be exchanged in the space of 4 weeks, or sooner if possible.

* Ratifications exchanged at Paris, 27th April, 1856.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 30th day of the month of March, in the year 1856.

(L.S.) CLARENDON.
(L.S.) COWLEY.
(L.S.) BUOL-SCHAUENSTEIN.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) BOURQUENEY.
(L.S.) MANTEUFFEL.
(L.S.) C. M. D'HATZFELDT.
(L.S.) ORLOFF.
(L.S.) BRUNNOW.
(L.S.) C. CAVOUR.
(L.S.) DE VILLAMARINA.
(L.S.) AALI.
(L.S.) MEHEMMED DJEMIL.

No. 266.—*CONVENTION between Russia and Turkey, limiting their Naval Force in the Black Sea. Signed at Paris, 30th March, 1856.**

[This Convention was annexed to the General Treaty of Peace of the same date, Article XIV, **No. 264.**]

ART. TABLE.

Preamble.
1. Vessels of War to be maintained in *Black Sea.*
2. Number, Force, and Dimensions of Vessels of War to be maintained in *Black Sea.*
3. Ratifications.

(Translation as laid before Parliament.†)

In the Name of Almighty God.

His Majesty the Emperor of All the Russias, and His Imperial Majesty the Sultan, taking into consideration the principle of the Neutralisation of the Black Sea established by the Preliminaries contained in the Protocol No. 1, signed at Paris on the 25th of February of the present year (**No. 268**), and wishing, in consequence, to regulate by common agreement the number and the force of the Light Vessels which they have reserved to themselves to maintain in the Black Sea for the service of their coasts, have resolved to sign, with that view, a special Convention, and have named for that purpose:

His Majesty the Emperor of All the Russias, the Sieur Alexis Count Orloff, his Aide-de-Camp General and General of Cavalry, &c.; and the Sieur Philip Baron de Brunnow, his Envoy Extraordinary and Minister Plenipotentiary to the Germanic Confederation, &c.;

And His Majesty the Emperor of the Ottomans, Mouhammed Emin Aali Pasha, Grand Vizier of the Ottoman Empire, &c.; and Mehemmed Djemil Bey, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, accredited in the same character to His Majesty the King of Sardinia, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:—

* Abrogated by the General Treaty of 13th March, 1871. See also Separate Conventions between Russia and Turkey of the same date.

† For French Version, see "State Papers," vol. xlvi, p. 22.

Vessels of War to be maintained in Black Sea.

ART. I. The High Contracting Parties mutually engage not to have in the Black Sea any other Vessels of War than those of which the number, the force, and the dimensions are hereinafter stipulated.

Number, Force, and Dimensions of Vessels of War to be maintained in Black Sea.

ART. II. The High Contracting Parties reserve to themselves each to maintain in that Sea 6 steam-vessels of 50 metres in length at the line of flotation, of a tonnage of 800 tons at the maximum, and 4 light steam or sailing vessels of a tonnage which shall not exceed 200 tons each.

*Ratifications.**

ART. III. The present Convention, annexed to the General Treaty signed at Paris this day, shall be ratified, and the Ratifications shall be exchanged in the space of 4 weeks, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the Seal of their Arms.

Done at Paris, the 30th day of March, 1856.

(L.S.) ORLOFF.
(L.S.) BRUNNOW.
(L.S.) AALI.
(L.S.) MEHEMMED DJEMIL.

* Ratifications exchanged at Paris, 27th April, 1856.

No. 267.—*CONVENTION between Great Britain, France, and Russia, respecting the Aland Islands. Signed at Paris, 30th March*, 1856.

[This Convention was annexed to the General Treaty of Peace of the same date. See Article XXXIII, **No. 264.**]

ART. TABLE.

Preamble. Peace.
1. *Aland Islands* not to be Fortified, or any Military or Naval Establishments to be maintained.
2. Ratifications.

(Translation as laid before Parliament.*)

In the Name of Almighty God.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of the French, and His Majesty the Emperor of All the Russias, wishing to extend to the Baltic Sea the harmony so happily re-established between them in the East, and thereby to consolidate the benefits of the General Peace, have resolved to conclude a Convention, and have named for that purpose:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.; and the Right Honourable Henry Richard Charles Baron Cowley, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the French, the Sieur Alexander Count Colonna Walewski, his Minister and Secretary of State for Foreign Affairs, &c.; and the Sieur Francis Adolphus Baron de Bourqueney, his Envoy Extraordinary and Minister Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.;

And His Majesty the Emperor of All the Russias, the Sieur Alexis Count Orloff, his Aide-de-Camp General and General of Cavalry, &c.; and the Sieur Philip Baron de Brunnow, his Envoy

* For French Version, see "State Papers," vol. xlvi, p. 23.

Extraordinary and Minister Plenipotentiary to the Germanic Confederation, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Aland Islands not to be Fortified, or Military or Naval Establishments to be maintained.

ART. I. His Majesty the Emperor of All the Russias, in order to respond to the desire which has been expressed to him by Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, and the Emperor of the French, declares that the Aland Islands shall not be fortified, and that no Military or Naval Establishment shall be maintained or created there.

*Ratifications.**

ART. II. The present Convention, annexed to the General Treaty signed at Paris this day, shall be ratified, and the Ratifications shall be exchanged in the space of 4 weeks, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 30th day of March, 1856.

(L.S.) CLARENDON.
(L.S.) COWLEY.
(L.S.) A. WALEWSKI.
(L.S.) BOURQUENEY.
(L.S.) ORLOFF.
(L.S.) BRUNNOW.

* Ratifications exchanged at Paris, 27th April, 1856.

No. 268.—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, France, Prussia,* Russia, Sardinia, and Turkey, relating to the conclusion of Peace. Paris, February to April*, 1856.†

Protocol.		"State Papers," vol. xlvi, page
No. 1.	Opening of Conferences for conclusion of General Treaty of Peace. Armistice, &c. Assent of *Sardinia* to Protocol of 1st February, 1856. Preliminaries of Peace :—1. *Danubian Principalities.*‡ 2. *Danube.*§ 3. *Black Sea.*‖ 4. Christian Subjects of the *Porte.*¶ 5. Special Conditions. Paris, 25th February, 1856.	63
	(Annex.) Protocol. Preliminaries of Peace. Vienna, 1st February, 1856.	65
No. 2.	Armistice. *Danubian Principalities.* *Danube.* Proposed Invitation to *Prussia* to take part in Negotiations for Straits Convention. Admission of *Turkey* within Public Law of *Europe*. Religious Privileges in *Turkey*. Paris, 28th February, 1856.	67
No. 3.	*Aland Islands.*** *Asiatic* Frontiers of *Russia* and *Turkey.*†† *Cabuletian* Boundary Claims. Russian Fortifications on East Coast of *Black Sea.*‡‡ Restitution of *Kars* to *Turkey*. Paris, 1st March, 1856.	71
No. 4.	Commission for Settlement of Limits between *Russia* and *Turkey* in *Asia*. Neutralisation, &c., of *Black Sea*. *Russian* Ship-building Yards at *Nicolaieff*. Admission	

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* See Protocols, Nos. 9 and 11.

† See also Protocols, May to August, 1858, and April to September, 1859, respecting the United Principalities of Moldavia and Wallachia.

‡ See also Convention between Great Britain, &c., and Turkey, of 19th August, 1858; Protocols between Great Britain, &c., and Turkey, May to August, 1858, and April to September, 1859; Firman of Sultan of 6th December, 1861; and Protocols, May to June, 1866.

§ See also General and Separate Treaties of 30th March, 1856; Treaty of 13th March, 1871; and Protocols, January to March, 1871.

‖ See also General and Separate Treaties of 30th March, 1856; Treaty of 13th March, 1871; and Protocols, January to March, 1871.

¶ See also Firman of the Porte of 18th February, 1856.

** See also Convention between Great Britain, France, and Russia of 30th March, 1856.

†† See also General Treaty of 30th March, 1856; Final Act of 5th December, 1857; and Protocol of 28th April, 1858.

‡‡ See also General and Separate Treaties of 30th March, 1856; Treaty of 13th March, 1871; and Protocols, January to March, 1871.

		"State Papers," vol. xlvi, page
Protocol.	of Foreign Consuls to *Russian* and *Turkish* Ports in *Black Sea*. Straits of *Dardanelles* and *Bosphorus*.* Paris, 4th March, 1856.	73
No. 5.	*Russian* Vessels of War in *Black Sea*.† Ship-building Yards at *Kherson* and in *Sea of Azof*. Navigation of the *Danube*. ..... Paris, 6th March, 1856.	75
No. 6.	Limits of *Asiatic* Frontiers of *Russia* and *Turkey*. *Bessarabian* Frontier.‡ Organization of *Danubian Principalities*. Question of Union of *Moldavia* and *Wallachia*. Paris, 8th March, 1856.	78
No. 7.	*Bessarabian* Frontier. Organization of *Danubian Principalities*. Invitation to *Prussia* to take part in Conferences. Cemeteries and Monuments of Officers and Soldiers of Allies in *Russia*. Amnesty .... Paris, 10th March, 1856.	82
No. 8.	Organization of *Danubian Principalities*. Vessels of War in *Black Sea*. Navigation of the *Danube*. Paris, 12th March, 1856.	84
No. 9.	*Bessarabian* Frontier. *Asiatic* Frontiers of *Russia* and *Turkey*. Organization of *Danubian Principalities*. Admission of *Turkey* into *European* Concert. Assent of *Prussia* to take part in Deliberations. Paris, 14th March, 1856.	87
No. 10.	Vessels of War in *Black Sea*. Mediation in *Turkey*. Navigation of the *Danube*. Restitution of Territories. Paris, 18th March, 1856.	90
No. 11.	Introduction of *Prussian* Plenipotentiaries. Closing of *Bosphorus* and *Dardanelles* to Vessels of War. Paris, 18th March, 1856.	94
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* See also Convention between Great Britain, &c., and Turkey, of 13th July, 1841; and General and Separate Treaties of 30th March, 1856.

† See also General and Separate Treaties of 30th March, 1856; Treaty of 13th March, 1871; and Protocols, January to March, 1871.

‡ See also General Treaty of 30th March, 1856; Treaty between Great Britain, &c., and Turkey, of 19th June, 1857; Protocol between Great Britain, &c., and Turkey, of 6th January, 1857; and Definitive Act of 11th April, 1857.

§ See also Protocol between Great Britain, &c., and Turkey of 4th September, 1862.

‖ See also Protocols of 17th April, 1860; 3rd May, 1864; and 26th October, 1866; and Turkish Conditions of 31st August, 1862. See also note, page 1438.

Protocol.		"State Papers," vol. xlvi, page
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* See also Conditions of Turkey of 31st August, 1862, and Note, page 1438. † See note, page 1579.

‡ See also Treaty between France and Monaco of 2nd February, 1861.

§ See Declaration of 16th April, 1856. ‖ See next page.

The question of Poland was not discussed at these Conferences, see Note, page 1685.

No. 269.—*PROTOCOL OF CONFERENCE between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, suggesting the reference of Disputes between Foreign Powers to the Mediation of a Third Power, previous to Hostilities. Paris, 14th April, 1856.**

(Translation as laid before Parliament.†)

Present: The Plenipotentiaries of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey.

Mediation previous to Hostilities.

(Extract.)

THE Earl of Clarendon having demanded permission to lay before the Congress a proposition which it appears to him ought to be favourably received, states that the calamities of War are still too present to every mind not to make it desirable to seek out every expedient calculated to prevent their return; that a stipulation had been inserted in Article VIII of the Treaty of Peace (**No. 264**), recommending that in case of Difference between the Porte and one or more of the other signing Powers, recourse should be had to the Mediation of a friendly State before resorting to force.

The first Plenipotentiary of Great Britain conceives that this happy innovation might receive a more general application, and thus become a barrier against conflicts which frequently only break forth because it is not always possible to enter into explanation and to come to an understanding.

He proposes, therefore, to agree upon a resolution calculated to afford to the Maintenance of Peace that chance of duration hereafter, without prejudice, however, to the Independence of Governments.

Count Walewski declares himself authorised to support the idea expressed by the first Plenipotentiary of Great Britain; he gives the assurance that the Plenipotentiaries of France are wholly disposed to concur in the insertion in the Protocol of a wish which, being fully in accordance with the tendencies of our epoch, would not in any way fetter the free action of Governments.

* Not embodied in the General Treaty of 30th March, 1856, except in so far as related to Turkey. (See Article VIII.)

† For French version, see "State Papers," vol. xlvi, p. 133.

Count Buol would not hesitate to concur in the opinion of the Plenipotentiaries of Great Britain and of France, if the resolution of the Congress is to have the form indicated by Count Walewski, but he could not take, in the name of his Court, an absolute engagement calculated to limit the Independence of the Austrian Cabinet.

The Earl of Clarendon replies that each Power is and will be the sole judge of the requirements of its honour and of its interests: that it is by no means his intention to restrict the authority of the Governments, but only to afford them the opportunity of not having recourse to Arms whenever Differences may be adjusted by other means.

Baron Manteuffel gives the assurance that the King, his august Master, completely shares the ideas set forth by the Earl of Clarendon; that he therefore considers himself authorised to adhere to them, and to give them the utmost development which they admit of.

Count Orloff, while admitting the wisdom of the proposal made to the Congress, considers that he must refer to his Court respecting it, before he expresses the opinion of the Plenipotentiaries of Russia.

Count Cavour, before he gives his opinion, wishes to know whether, in the intention of the author of the proposition, the wish to be expressed by the Congress would extend to Military Interventions directed against *de facto* Governments, and quotes, as an instance, the Intervention of Austria in the Kingdom of Naples in 1821.

Lord Clarendon replies that the wish of the Congress should allow of the most general application; he observes that if the Good Offices of another Power had induced the Government of Greece to respect the Laws of Neutrality, France and England would very probably have abstained from occupying the Piræus with their troops. He refers to the efforts made by the Cabinet of Great Britain in 1823, in order to prevent the Armed Intervention which took place at that time in Spain.

Count Walewski adds, that there is no question of stipulating for a right or of taking an engagement; that the wish expressed by the Congress cannot in any case oppose limits to the liberty of judgment of which no Power can divest itself in questions affecting its dignity; that there is therefore no inconvenience in attaching a general character to the idea entertained by the Earl of Clarendon, and giving to it the most extended application.

Count Buol says that Count Cavour, in speaking in another sitting of the occupation of the Legations by Austrian Troops, forgot that other Foreign Troops have been invited into the Roman States. To-day, while speaking of the Occupation by Austria of the Kingdom of Naples in 1821, he forgets that that occupation was the result of an understanding between the 5 Great Powers assembled at the Congress of Laybach. In both cases he attributes to Austria the merit of an initiative and of a spontaneous action, which the Austrian Plenipotentiaries are far from claiming for her.

The Intervention, adverted to by the Plenipotentiary of Sardinia, took place, he adds, in consequence of the discussions of the Congress of Laybach; it therefore comes within the scope of the ideas expressed by Lord Clarendon. Similar cases might perhaps recur, and Count Buol does not allow that an Intervention carried into effect in consequence of an agreement come to between the 5 Great Powers, can become the object of remonstrances of a State of the second order.

Count Buol approves the proposition in the shape that Lord Clarendon has presented it, as having a humane object; but he could not assent to it if it were wished to give to it too great an extension, or to deduce from it consequences favourable to *de facto* Governments, and to doctrines which he cannot admit.

He desires besides that the Conference, at the moment of terminating its labours, should not find itself compelled to discuss irritating questions, calculated to disturb the perfect harmony which has not ceased to prevail among the Plenipotentiaries.

Count Cavour declares that he is fully satisfied with the explanations which he has elicited, and he accedes to the proposition submitted to the Congress.

Whereupon the Plenipotentiaries do not hesitate to express, in the name of their Governments, the wish that States between which any serious misunderstanding may arise, should, before appealing to Arms, have recourse, as far as circumstances might allow, to the Good Offices of a friendly Power.

The Plenipotentiaries hope that the Governments not represented at the Congress will unite in the sentiment which has inspired the wish recorded in the present Protocol.*

(The Signatures follow.)

* For List of Accessions, see page 1284.

No. 270.—*TREATY between Great Britain, Austria, and France, guaranteeing the Independence and Integrity of the Ottoman Empire. Signed at Paris, 15th April, 1856.*

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856.
1. Guarantee of Independence and Integrity of the *Ottoman Empire*.
2. Any Infraction of Treaty of 30th March, 1856, to be considered as a *casus belli*.
3. Ratifications.

(Translation as laid before Parliament.*)

Reference to Treaty of 30th March, 1856.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, and His Majesty the Emperor of the French, wishing to settle between themselves the combined action which any infraction of the stipulations of the Peace of Paris (**No. 264**) would involve on their part, have named for that purpose as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.; and the Right Honourable Henry Richard Charles Baron Cowley, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, the Sieur Charles Ferdinand Count de Buol-Schauenstein, President of the Conference of Ministers, &c.; and the Sieur Joseph Alexander Baron de Hübner, Envoy Extraordinary and Minister Plenipotentiary to the Court of France, &c.;

And His Majesty the Emperor of the French, the Sieur Alexander Count Colonna Walewski, his Minister and Secretary of State for Foreign Affairs, &c.; and the Sieur Francis Adolphus Baron de Bourqueney, his Envoy Extraordinary and Minister Plenipotentiary to His Imperial and Royal Apostolic Majesty, &c.;

* For French Version, see "State Papers," vol. xlvi, p. 25.

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Guarantee of Independence and Integrity of the Ottoman Empire.

ART. I. The High Contracting Parties Guarantee, jointly and severally, the Independence and the Integrity of the Ottoman Empire, recorded in the Treaty concluded at Paris on the 30th of March, 1856 (**No. 264**).

Any Infraction of Treaty of 30th March, 1856, to be considered as a casus belli.

ART. II. Any infraction of the stipulations of the said Treaty will be considered by the Powers signing the present Treaty as a *casus belli*. They will come to an understanding with the Sublime Porte as to the measures which have become necessary, and will without delay determine among themselves as to the employment of their Military and Naval Forces.

*Ratifications.**

ART. III. The present Treaty shall be ratified, and the Ratifications shall be exchanged in a fortnight, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 15th day of the month of April, in the year 1856.

(L.S.) CLARENDON.
(L.S.) COWLEY.
(L.S.) BUOL-SCHAUENSTEIN.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) BOURQUENEY.

* Ratifications exchanged at Paris, 29th April, 1856.

No. 271.—*DECLARATION signed by the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, respecting Maritime Law. Paris, 16th April, 1856.**

TABLE.

Privateering.
Neutral Flag.
Neutral Goods.
Blockades.

(Translation as laid before Parliament.†)

THE Plenipotentiaries who signed the Treaty of Paris of the 30th of March, 1856 (**No. 264**), assembled in Conference,—

Considering:

That Maritime Law, in time of War, has long been the subject of deplorable disputes;

That the uncertainty of the law and of the duties in such a matter, gives rise to differences of opinion between Neutrals and Belligerents which may occasion serious difficulties, and even conflicts;

That it is consequently advantageous to establish a uniform doctrine on so important a point;

That the Plenipotentiaries assembled in Congress at Paris cannot better respond to the intentions by which their Governments are animated, than by seeking to introduce into international relations fixed principles in this respect;

The above-mentioned Plenipotentiaries, being duly authorised, resolved to concert among themselves as to the means of attaining this object; and, having come to an agreement, have adopted the following solemn Declaration:

Privateering.

1. Privateering is, and remains abolished;

Neutral Flag.

2. The Neutral Flag covers Enemy's Goods, with the exception of Contraband of War;

* See also Protocols, Paris, Nos. 22, 23, and 24, of 8th, 14th, and 16th April, 1856. (No. 268.)

† For French version, see "State Papers," vol. xlvi, p. 26.

Neutral Goods.

3. Neutral Goods, with the exception of Contraband of War, are not liable to capture under Enemy's Flag;

Blockades.

4. Blockades, in order to be binding, must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The Governments of the Undersigned Plenipotentiaries engage to bring the present Declaration to the knowledge of the States which have not taken part in the Congress of Paris, and to invite them to accede to it.

Convinced that the maxims which they now proclaim cannot but be received with gratitude by the whole world, the undersigned Plenipotentiaries doubt not that the efforts of their Governments to obtain the general adoption thereof, will be crowned with full success.

The present Declaration is not and shall not be binding, except between those Powers who have acceded, or shall accede, to it.*

Done at Paris, the 16th of April, 1856.

BUOL-SCHAUENSTEIN.
HUBNER.
WALEWSKI.
BOURQUENEY.
CLARENDON.
COWLEY.
MANTEUFFEL.
HATZFELDT.
ORLOFF.
BRUNNOW.
CAVOUR.
DE VILLAMARINA.
AALI.
MEHEMMED DJEMIL.

* For List of Accessions, see next page.

[Mediation. Maritime Law.]

ACCESSIONS to Protocol of 14th April, and to Declaration of 16th April, 1856.

	Mediation.‖	Maritime Law.*
Anhalt-Dessau-Cœthen	17th June, 1856.	17th June, 1856.
Argentine Confederation	4th Oct., 1856.	1st Oct., 1856.
Baden	24th July, 1856.	30th July, 1856.
Bavaria	—	4th July, 1856.
Belgium	—	6th June, 1856.
Brazil	18th Mar., 1858.	18th Mar., 1858.
Bremen	13th June, 1856.	11th June, 1856.
Brunswick	—	7th Dec., 1857.
Chili	19th Aug., 1856.	13th Aug., 1856.
Denmark	7th July, 1856.	25th June, 1856.
Equator	—	6th Dec., 1856.
Frankfort	10th July, 1856.	17th June, 1856.
Germanic Confederation	10th July, 1856.	10th July, 1856.
Greece	20th July, 1856.	20th June, 1856.
Guatemala	—	30th Aug., 1856.
Hamburgh	28th June, 1856.	27th June, 1856.
Hanover	30th May, 1856.	31st May, 1856.
Hayti	—	17th Sept., 1856.
Hesse-Cassel	17th June, 1856.	4th June, 1856.
Hesse-Darmstadt	15th June, 1856.	15th June, 1856.
Lubeck	9th June, 1856.	20th June, 1856.
Mecklenburg-Schwerin	1st July, 1856.	22nd July, 1856.
Mecklenburg-Strelitz	—	25th Aug., 1856.
Mexico‡	—	—
Modena	29th July, 1856.	29th July, 1856.
Monte Video (Uruguay)†	—	—
Nassau	6th June, 1856.	18th June, 1856.
Netherlands	—	7th June, 1856.
New Grenada†	31st July, 1856.	31st July, 1856.
Oldenburg	16th June, 1856.	9th June, 1856.
Parma	20th Aug., 1856.	20th Aug., 1856.
Peru	—	5th Oct., 1857.
Portugal	28th July, 1856.	28th July, 1856.
Roman States	—	3rd June, 1856.
Saxe-Altenburg	30th June, 1856.	9th June, 1856.
Saxe-Coburg-Gotha	5th July, 1856.	22nd June, 1856.
Saxe-Meiningen	30th June, 1856.	30th June, 1856.
Saxe-Weimar	20th June, 1856.	22nd June, 1856.
Saxony	20th June, 1856.	16th June, 1856.
Sicilies	21st June, 1856.	31st May, 1856.
Spain‡	—	—
Sweden and Norway	21st July, 1856.	13th June, 1856.
Switzerland	—	28th July, 1856.
Tuscany	5th June, 1856.	5th June, 1856.
United States§	—	—
Wurtemberg	28th May, 1856.	24th June, 1856.

* Dates of Replies to French Invitations to accede. For Replies, see "State Papers," vol. xlviii, page 132. Replies to British Invitations not published.

† New Grenada and Uruguay assented, subject to Ratification of their respective Legislatures.

‡ Spain and Mexico acceded to the 2nd, 3rd, and 4th points, but not to the 1st point (Privateering).

§ The United States expressed readiness to accede to the Declaration pro.

No. 272.—*BRITISH PROCLAMATION OF PEACE with Russia. 28th April,* 1856.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS a Definitive Treaty of Peace and Friendship between us and our Allies and His Imperial Majesty the Emperor of All the Russias was concluded at Paris, on the 30th day of March last (**No. 264**), and the Ratifications thereof have now been duly exchanged; in conformity thereunto, we have thought fit hereby to command that the same be published throughout all our dominions; and we do declare to all our loving subjects our will and pleasure that the said Treaty of Peace and Friendship be observed inviolably as well by sea as by land, and in all cases whatsoever; strictly charging and commanding all our loving subjects to take notice hereof, and to conform themselves thereunto accordingly.

Given at our Court at Buckingham Palace, this 28th day of April, in the year of Our Lord, 1856, and in the 19th year of our reign.

God save the Queen.

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vided it were added, with reference to Privateering, that the Private Property of Subjects or Citizens of Belligerent Nations were exempt from capture at Sea by the respective Naval Forces. See Correspondence respecting International and Maritime Law laid before Parliament, 1862. North American Papers, No. 3.

|| Mediation. Dates of Replies to British Invitations. Replies not published.

No. 273.—*CONVENTION between Great Britain, France, and Sardinia, on one part, and the Sultan, on the other, extending the Term previously stipulated for the Evacuation of the Ottoman Territory. Signed at Constantinople, 13th May, 1856.*

ART. TABLE.

Preamble. Reference to Treaties of 12th March, 1854, and 15th March, 1855.
1. Extension of time for Evacuation of *Ottoman Territory*.
2. Ratifications.

(Translation as laid before Parliament.*)

Reference to Treaties of 12th March, 1854, and 15th March, 1855.

IT having been stipulated by the Treaties concluded at Constantinople on the 12th of March, 1854 (**No. 237**), between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of the French, and His Imperial Majesty the Sultan, and on the 15th of March, 1855, between His Majesty the King of Sardinia and His Imperial Majesty the Sultan, that all the Fortresses and Positions in the Ottoman Territory which should have been temporarily occupied by the Military Forces of Great Britain, France, and Sardinia, should be delivered up to the authorities of the Sublime Ottoman Porte in the space of 40 days, or sooner if possible, after the exchange of the Ratifications of the Treaty by which the war should be terminated; and the execution of that engagement having become physically impossible in consequence of the development assumed by the war, their said Majesties have agreed to conclude a new engagement in regard to this point, and have for that purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Viscount Stratford de Redcliffe, her Ambassador Extraordinary and Plenipotentiary to the Sublime Porte, &c.;

His Majesty the Emperor of the French, the Sieur Edward Thouvenel, his Ambassador to the Sublime Porte, &c.;

* For French version, see "State Papers," vol. xlvi, p. 27.

[Evacuation of Ottoman Territory.]

His Majesty the King of Sardinia, the Sieur Dominique Pes de St. Victor, Count della Minerva, his Chargé d'Affaires *ad interim* to the Sublime Porte, &c.;

And His Imperial Majesty the Sultan Abdul Medjid Khan, Mehemed Fuad Pacha, his Minister for Foreign Affairs, Mushir of the Empire, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:

Extension of time for Evacuation of Ottoman Territory.

ART. I. Instead of the term of 40 days fixed by the above-mentioned Treaties of the 12th of March, 1854 (No. 237), and of the 15th of March, 1855, for delivering up to the authorities of the Sublime Ottoman Porte all the Fortresses and Positions in the Ottoman Territory which should have been temporarily occupied by the Military Forces of Great Britain, France, and Sardinia, His Majesty the Sultan agrees to grant to the 3 Powers a term of 6 months, to be reckoned from the day of the exchange of the Ratifications of the General Treaty signed at Paris on the 30th of March last,* in order to effect that delivery.

Ratifications.†

The present Convention shall be ratified by their Majesties the Queen of the United Kingdom of Great and Ireland, the Emperor of the French, and the King of Sardinia, on the one part, and by His Imperial Majesty the Sultan, on the other part; and the Ratifications shall be exchanged at Constantinople in the space of 4 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Constantinople, the 13th of May, 1856.

(L.S.) STRATFORD DE REDCLIFFE.
(L.S.) E. THOUVENEL.
(L.S.) DELLA MINERVA.
(L.S.) FUAD.

* The Ratifications of the Treaty of the 30th March were exchanged at Paris on the 27th of April, 1856.

† Ratifications exchanged at Constantinople, 19th June, 1856.

No. 274.—*CONVENTION between Great Britain and the King of Sardinia, respecting the advance of a Million Sterling contemplated by the Convention of 26th January, 1855. Signed at Turin, 3rd June, 1856.*

ART. TABLE.

Preamble. Reference to Convention of 26th January, 1855.
1. Further Loan of £1,000,000 sterling.
2. Payment of Interest.
3. Ratifications.

(English version.*)

Reference to Convention of 26th January, 1855.

WHEREAS by a Convention concluded and signed at Turin on the 26th of January, 1855 (**No. 256**), between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sardinia, and afterwards duly ratified, Her Britannic Majesty undertook to recommend to her Parliament to enable her to advance, by way of Loan, to His Majesty the King of Sardinia the sum of £1,000,000 sterling, of which sum £500,000 sterling should be paid by Her Majesty as soon as possible after the assent of her Parliament should have been given, and the remaining £500,000 at the expiration of 6 months after the payment of the first sum; and Her Britannic Majesty, by the said Convention, engaged further to recommend to her Parliament to enable her, if the War should not have been brought to a close at the expiration of 12 months after payment of the first instalment of the said Loan, to advance to His Majesty the King of Sardinia, in the same proportions, a like sum of £1,000,000 sterling;

And whereas it was by the said Convention agreed, that the interest to be paid upon the said Loan or Loans by the Sardinian Government should be at the rate of 4 per cent. per annum, of which 1 per cent. per annum should be for a sinking fund; and that the said interest should be calculated from the days on which the payments on account of the Loan or Loans should be made, and should be payable half-yearly, the first payment to be made within

* For French version, see "State Papers," vol. xlvi, p. 235.

15 days after the expiration of 6 months from the payment of the first instalment of the Loan, and so on successively;

And whereas the Parliament of Her Britannic Majesty did enable her to carry into effect the engagements of the said Convention,* and the sum of £1,000,000 sterling was in consequence advanced to His Majesty the King of Sardinia in two instalments of £500,000 each, the first of which was paid on the 3rd of May, 1855, and the second on the 3rd of November, 1855;

And whereas if the War had continued, the conditional engagement of Her Britannic Majesty to advance to His Majesty the King of Sardinia a like sum of £1,000,000 sterling would have come into operation on the 3rd of May, 1856; but the War was brought to a close 6 days previously, namely, on the 27th of April, 1856, by the exchange on that day of the Ratifications of a Treaty of Peace;

And whereas His Sardinian Majesty had already incurred those expenses for the prosecution of the War during the current year, which the said like sum of £1,000,000 was intended to enable him to provide for;

Her Britannic Majesty being willing to recommend to her Parliament to enable her to advance to His Majesty the King of Sardinia the said like sum of £1,000,000, notwithstanding the War has been brought to a close before the 3rd day of May, 1856; Her Britannic Majesty and His Majesty the King of Sardinia have resolved to arrange this affair by means of a Convention, and have named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir James Hudson, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sardinia, &c.;

And His Majesty the King of Sardinia, the Count Camillo Benso de Cavour, President of the Council of Ministers, and his Minister for Foreign Affairs and for the Finances, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

Further Loan of £1,000,000.

ART. I. Her Majesty the Queen of the United Kingdom of

* Act of Parliament, 18 Vict., c. 17, 26th June, 1855.

Great Britain and Ireland undertakes to recommend to her Parliament to enable her to advance, by way of Loan, to His Majesty the King of Sardinia, the further sum of £1,000,000 sterling, contemplated by the Convention of the 26th of January, 1855 (**No. 256**), in like manner, instalments, and proportions, and subject in all respects to the same conditions, as if the War had not been brought to a close at the expiration of 12 months from the payment of the first instalment of the first sum of £1,000,000 sterling.*

Payment of Interest.

ART. II. His Majesty the King of Sardinia engages to accept the advance mentioned in the preceding Article, on the same conditions in all respects, especially as to the calculation and payment of the interest, as if such advance had been made under and by virtue of the said Convention concluded and signed at Turin on the 26th of January, 1855.

Ratifications.†

ART. III. The present Convention shall be ratified, and the Ratifications shall be exchanged at London as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Turin, the 3rd day of June, in the year of Our Lord, 1856.

(L.S.) JAMES HUDSON.
(L.S.) C. CAVOUR.

* On the 26th June, 1856, an Act of Parliament was passed (19 and 20 Vict., cap. 39) to carry this Convention into effect. See also Parliamentary Paper, House of Commons, 1875, No. 21.

† Ratifications exchanged at London, 11th June, 1856.

No. 275.—*BOUNDARY TREATY between France and Spain. Signed at Bayonne, 2nd December, 1856.**

TABLE.

ART.
Preamble.
1. Line of Boundary from the Borders of the *Basses-Pyrénées, Aragon,* and *Navarre,* to the Mouth of the *Bidassoa.*
2. Boundary from the Stone of *Saint-Martin* to *Barcetagoitia.*
3. Boundary from *Barcetagoitia* to *Alupéña.*
4. Boundary from *Alupéña* to the Confluence of the *Erreca-Idor* and the *Urbelcha.*
5. Boundary from the *Erreca-Idor* to the *Egurguy.*
6. Boundary from the *Egurguy* to *Iriburieta.*
7. Boundary from *Iriburieta* to *Pertole-co-Burria.* Boundary from *Pertole* to *Ispeguy.*
8. Boundary from *Ispeguy* to *Chapitelacoarria.*
9. From *Chapitelacoarria* to the *Figuier* Road.
10 to 19. Rights of Bordering Populations.
20 & 21. Freedom of Commerce and Navigation on the *Bidassoa* to its Mouth.
22. Freedom of Fishery.
23. Impediments to the Navigation of the *Bidassoa* to be removed.
24. Compensation to the Municipality of *Fontarabia.*
25. Separate Jurisdiction over Vessels Navigating, Passing through, or Fishing in the *Bidassoa.*
26. *Bohobie* Bridge to belong equally to *France* and *Spain,* and to be maintained by them.
27. The *Ile des Faisans,* known under the name of *Ile de la Conference,* to be possessed Jointly by *France* and *Spain.*
28. Annulment of Treaties and Conventions.
29. Ratifications.

(Translation.†)

HIS Majesty the Emperor of the French, and Her Majesty the Queen of Spain, wishing to consolidate and to maintain peace and concord between the populations of the two States inhabiting the part of the Frontier which extends from the summit of Analarra on the borders of the Department of the Basses-Pyrénées. Aragon, and Navarre, as far as the Mouth of the Bidassoa, in the

* See Additional Convention, 28th December, 1858.

† For French version, see "State Papers," vol. xlvii, p. 765.

Figuier Roads, and for ever prevent the return of the lamentable conflicts which have taken place from time to time, before the opening of the present negotiations, in several parts of the Frontier, on account of the uncertainty which has existed until now on the subject of the Property of some Territories and of the enjoyment of certain Privileges which the Borderers of the two countries claimed as belonging exclusively to them; and, judging that in order to attain that object it was necessary to determine in a precise manner the Rights of the Bordering Populations, and at the same time the Limits of the two Sovereignties from the Eastern extremity of Navarre as far as the Figuier Roads, by a Special Treaty to which are to be added, at a later date, the arrangements to be made on the remainder of the Frontier, from the summit of Analarra to the Mediterranean, have appointed to that effect, namely:

His Majesty the Emperor of the French, the Sieur Jean Baptiste Louis Baron Gros, Minister Plenipotentiary, &c., and the Sieur Camille Antoine Callier, General of Brigade, &c.;

And Her Majesty the Queen of Spain, the Sieur Don Francisco Maria Marin, Minister Plenipotentiary, &c., and the Sieur Don Manuel de Monteverde and Bethencourt, Marshal of the National Armies, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, after having studied the old Titles, the Decrees of Limitation, the Conventions, Treaties, and other Documents produced on either side in support of their respective Rights, Privileges, and Customs; after having heard the representatives of the Communes interested; after having examined the validity of the pretensions, and established the respective Rights, and lastly having sought to conciliate as far as possible, the Private and the Political Interests, taking into consideration the Ancient Rights whose grants date, in some cases, from a period prior to the separation of the two Navarres, have agreed upon the following Articles:

Line of Boundary from the Borders of the Basses-Pyrénées, Aragon, and Navarre, to the Mouth of the Bidassoa.

ART. I. The Line destined to separate the Sovereignty of the French Empire from that of the Kingdom of Spain, from the place which borders on the Department of the Basses-Pyrénées, Aragon, and Navarre, to the Mouth of the Bidassoa, in the

Figuier Roads, shall begin from the summit of Analarra, to continue, from the heights, towards the Stone of Saint Martin, known also under the name of the Boundary Post of Béarn, by Murlon and the Arlas Peak, in accordance with the existing Boundary Posts.

Boundary from the Stone of Saint-Martin to Barcetagoitia.

ART. II. From the Stone of Saint-Martin, the Frontier shall proceed towards the summits of Eraisé and the defile of the same name into the principal chain of the Pyrénées, the heights of which it shall follow by Lacuna to Urdaité, the defile of Güimbeleta, and the little defile of Belay, as far as Barcetagoitia, or Baracea-la-Alta, in conformity with that part of the Frontier agreed upon in the Delimitation of 1695, between the Commissioners of the Valleys of Soule, in France, and the Roncal, in Spain.

Boundary from Barcetagoitia to Alupéña.

ART. III. From Barcetagoitia or Baracea-la-Alta, the dividing Line shall follow the crests determined by the summits of Ochogorria, Mulidoya, Iparbacocha, Ory, and Alupéña.

Boundary from Alupéña to the Confluence of the Erreca-Idor and the Urbelcha.

ART. IV From the Alupéña Rock, the line of Frontier shall leave the crests of the Pyrénées, and shall proceed, in conformity with the delineation, which, in fact, exists at the present time, towards the Erreca-Idor Rivulet, or dry rivulet, and shall follow its course to the place where it flows into the Urbelcha.

Boundary from the Erreca-Idor to the Egurguy.

ART. V. Starting from the confluence of the Erreca-Idor and Urbelcha, the Frontier shall go up the stream of the latter River as far as the line of crests of the Anusbide, and shall follow that line of crests to the point nearest to the sources of the Contracharo, from whence it shall descend, by the latter rivulet, to its junction at Uratsaguy, the course of which it shall follow to its confluence with the Egurguy.

Boundary from Egurguy to Iriburieta.

ART. VI. From the confluence of the Uratsaguy and the

Egurguy, the line of Frontier, in conformity with the Delimitation agreed upon in 1556, between the Commissioners of the Valley of Cise, in France, and that of Aezcoa, in Spain, shall ascend successively by the Rivulets Egurguy and Bagachea, or Igoa, and passing by the sheepfold of Erosaté, by Arlepoa, Pagartea, Iparraguerre, Zalvetea, Orgambidea, Idopil, Lecea, and Urcullu, shall reach the defile of Iriburieta, or Iasaldea.

Boundary from Iriburieta to Pertole-co-Burria.

ART. VII. From the defile of Iriburieta, the dividing line shall proceed from the defile of Bentarté to the source of the Orellaco-Erreca Rivulet, which it will descend as far as its junction with the Valcarlos River, the course of which it will follow as far as Pertole-co-Burria, situated a little below the Arneguy Village.

Boundary from Pertole to Ispeguy.

At Pertole the Line shall make a curve to the west, towards the summit of Mendimocha, from whence it will ascend towards the south by the crests which separate the Valcarlos from the Valley of the Aldudes to Lindus-Balsacoa. From that point it will reach Lindusmunna, and proceed in a straight line to the Isterbeguy Peak, and from thence by another straight line to Beorzubustan, then by the crests to the Defile of Ispeguy.

Boundary from Ispeguy to Chapitelacoarria.

ART. VIII. From the Defile of Ispeguy the Frontier shall remain as decided by the International Delimitation of 1787. It shall therefore proceed from the Yparla Mountain by the crests which separate the Valley of Baigorry from that of Bastan, and then to Fagadi by the heights of Irusquiéta and Gorospil; from Fagadi it shall proceed towards the south, passing by Mount Anatarbé, and shall follow the course of the Rivulet of that name, and of that of Ostabialo, as far as the source of the latter. From that point as far as Chapitelacoarria, situated on the right bank of the Bidassoa, and a little below Andarlasa, it shall almost always follow the line which separates the declivities from the waters, on one side towards the 5 Towns of Navarre, and on the other towards Saint-Jean-de-Luz.

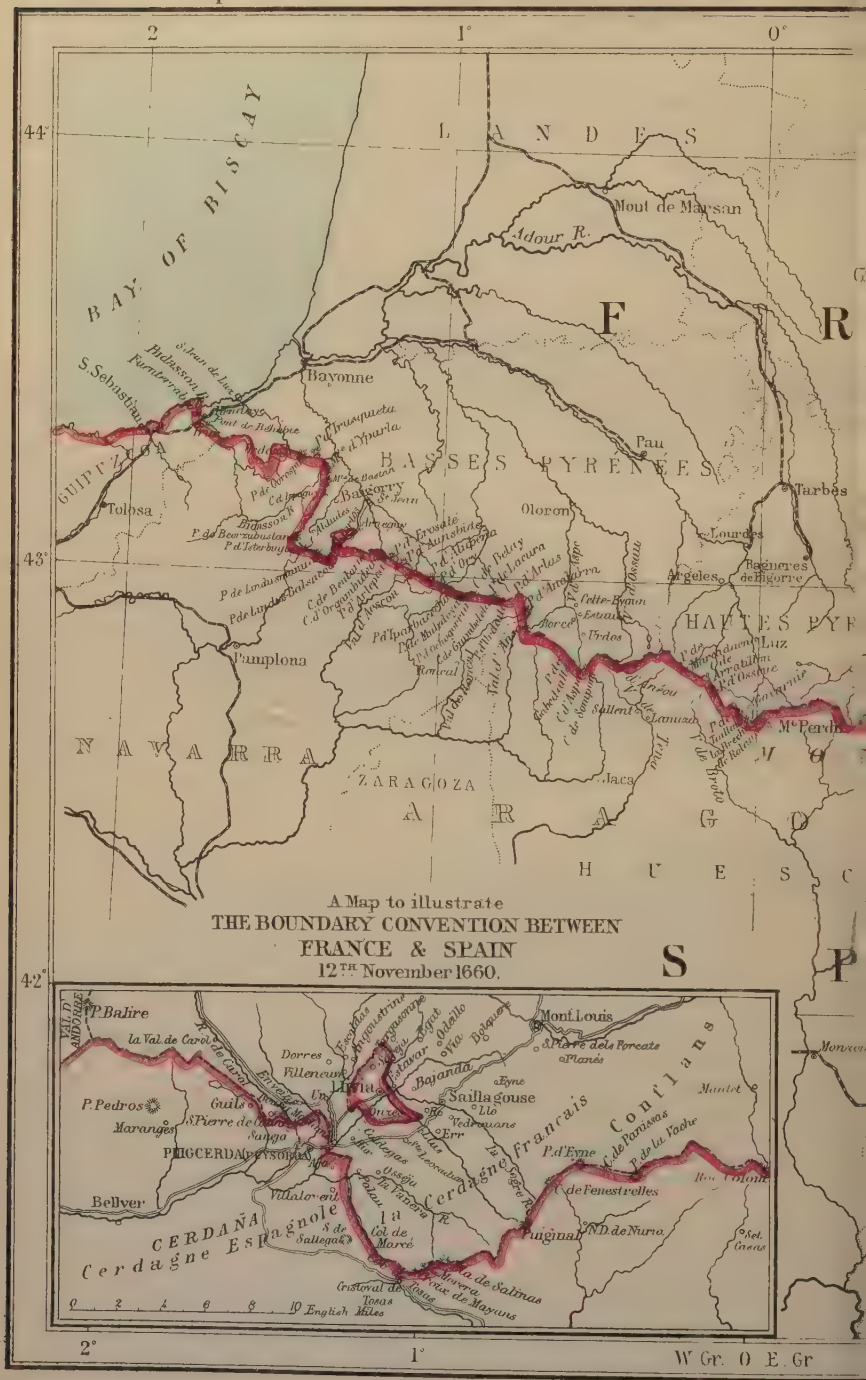
Boundary from Chapitelacoarria to Figuier Roads.

ART. IX. From Chapitelacoarria to the Mouth of the Bidassoa,

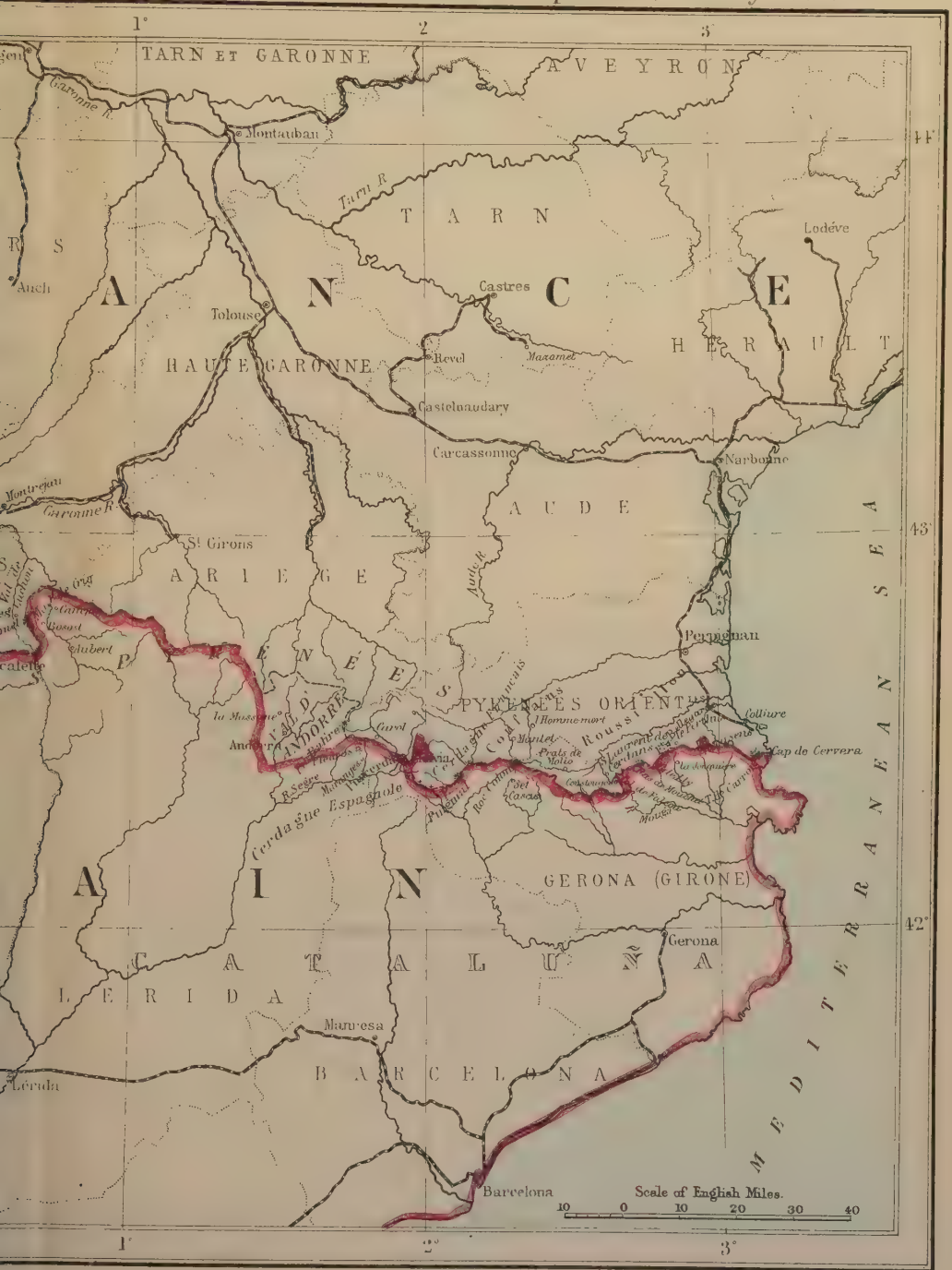
MAP

FRANCE & SPAIN

A Map to illustrate THE TREATIES BETWEEN FRA



& SPAIN. 12th Novr. 1660. 2nd Decr. 1856. 14th April 1862. 26th May 1866.



Stanfords Geog.l Estab.t 55 Charing Cross

MAP

FRANCE & SPAIN

in the Figuier Roads, the middle of the principal course of the waters of that River, at low water, shall form the Line of separation of the two Sovereignties, without in any way changing the actual nationality of the Islands; those of the Faisans shall continue to belong to the two Nations.

ARTS. X to XIX. *Rights of bordering Populations.*

ARTS. XX and XXI. *Freedom of Commerce and Navigation on the Bidassoa to its Mouth.*

ART. XXII. *Freedom of Fishery.*

ART. XXIII. *Impediments to the Navigation of the Bidassoa to be removed.*

ART. XXIV. *Compensation to the Municipality of Fontarabia.*

ART. XXV. *Separate Jurisdiction over Vessels Navigating, Passing through, or Fishing in the Bidassoa.*

ART. XXVI. *Bohobie Bridge to belong equally to France and Spain, and to be maintained by them.*

ART. XXVII. *The Ile des Faisans, known under the name of Ile de la Conference to be possessed jointly by France and Spain.*

Annulment of Treaties and Conventions.

ART. XXVIII. All Treaties, Conventions, and Arbitration Awards, having reference to the Boundary of the Frontier between the summit of Analarra and the Mouth of the Bidassoa, are Annulled in fact and by right, in all that is contrary to the clauses stipulated in the preceding Articles, dating from the day on which the present Treaty shall be put into execution.

*Ratifications.**

ART. XXIX AND LAST. In testimony whereof the respective Plenipotentiaries have signed the present Treaty in Duplicate at Bayonne, the 2nd December, 1856, and have affixed thereto the Seal of their Arms.

(L.S.) BARON GROS.
(L.S.) GENERAL CALLIER.
(L.S.) FRANCISCO M. MARIN.
(L.S.) MANL. DE MONTEVERDE.

* Ratifications exchanged at Paris, 12th August, 1857.

No. 276.—*NOTE from the British Ambassador at Paris, explanatory of the Protocol of Conference between the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, for carrying out certain of the Provisions of the Treaty of 30th March, 1856. Signed at Paris, 7th January, 1857.*

Lord Cowley to the Earl of Clarendon, enclosing Protocol of 6th January.—(Received 8th January.)

My Lord, *Paris, 7th January, 1857.*

I HAVE the honour to inclose herewith a certified copy of the Protocol of Conference, with the Plans annexed thereto, signed yesterday at the Ministry for Foreign Affairs by the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, wherein are recorded the results of the discussions which have taken place on certain points connected with the execution of the Treaty of the 30th of March (**No. 264**), and by which, I trust, are definitively set at rest the differences of opinion which had arisen among the Powers parties to that Treaty, respecting the right interpretation of Article XX, in consequence of its being found on actual survey that certain localities were not situated as had been supposed by the Paris Congress.

Although it is matter of regret, it is not surprising, considering the scanty information which could be obtained respecting the geographical details of the countries bordering the Lower Danube, that these errors should have occurred, or that, in endeavouring to rectify them, differences of opinion should have manifested themselves among the parties interested. But it was the duty of all, if a common centre of union was to be sought; if disagreement was not to degenerate into animosity; if the Treaty of the 30th of March (**No. 264**) was not to remain a dead letter—to abate somewhat of their respective views, and to meet each other in a conciliatory spirit. The decision of the majority of the Conference might, indeed, have been appealed to, but when opinions have been so strongly pronounced, it could not have been enforced without leaving a feeling of soreness to be deprecated in the minds of those whose judgment was overruled. The necessity of a compromise, if harmony was to be preserved, was

felt by all, and the Emperor, moved by this consideration, took upon himself to propose a settlement, which has been accepted by all parties.

The arrangement proposed by His Majesty, while it maintains inviolate, by assigning both New and Old Bolgrad to Moldavia, the principle on which Article XX was originally framed, of removing Russia from all communication with the Danube and Lower Pruth, meets the desire of the Russian Government to have a capital for the Bulgarian Colonies which remain to Russia, by giving her the town of Komrat on the Yalpouk. At the same time the wish expressed by Turkey that the Delta of the Danube, of which she formerly was mistress, should be restored to her instead of being transferred to Moldavia, is acceded to, and the Isle of Serpents is declared to be an appendage of the Delta.

Her Majesty's Government having met this proposal in the same conciliatory spirit in which it had been made by the French Government, and the other Governments interested, moved by sentiments equally honourable, having notified their acquiescence in it, the task of the Plenipotentiaries has been limited to recording in a collective instrument the agreement at which their Governments had separately arrived.

It only remains for me to congratulate your Lordship and Her Majesty's Government on this termination of difficulties and discussions, which have not been without their gravity, and to express the hope that the agreement which has thus been attained may prove an omen of continued peace and friendship among the Powers who have given this proof of goodwill and respect for each other.

I have, &c.,
COWLEY.

No. 277.—*PROTOCOL of Conference between the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, for carrying out certain of the Provisions of the Treaty of 30th March, 1856. Signed at Paris, 6th January, 1857.**

TABLE.

Demarcation of *Bessarabian Frontier.*
Evacuation of *Moldavia* and *Wallachia* by *Austrian* Troops, and Departure of British Squadron from *Black Sea* and *Bosphorus.*
Islands in *Delta* of the *Danube* to be replaced under Sovereignty of *Turkey.*
Isle of Serpents to be an Appendage of *Delta* of the *Danube.*
Lighthouse to be maintained on *Isle of Serpents.*
Protocol to have the force of a Convention. Boundary Convention to be signed.

(Translation as laid before Parliament.†)

Present: The Plenipotentiaries of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey.

Demarcation of Bessarabian Frontier.

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey, duly authorised, having assembled in Conference in order to devise the means of terminating the difficulties which the Boundary Commission, charged with the execution of Article XX of the Treaty of Paris (**No. 264**), has encountered in consequence of the position of places, have decided, after an examination of the Reports of the Boundary Commissioners, that the said Frontier shall be definitively traced according to the Plan No. 1, initialled by the Undersigned, and annexed to the present Protocol; that it shall, consequently, commence from the Black Sea, at a point 2,936 meters to the east of Lake Bourna-Sola, marked on the said plan by the letter *b*, and following a broken line shown by the letters *c*, *d*, *e*, *l*, *k*, *j*, *i*, *h*, *m*, *n*, *o*, where it joins the Akerman Road, which it follows as far as the letter *p*; proceeding from thence to the Val de Trajan by the letters *q*, *r*, *s*, *t*, *u*, *v*, *x*, *y*, *d'*, *e'*, *f'*, *g'*, *i'*; following the Val de

* See also Treaty of 19th June, 1857.
† For French version see "State Papers," vol. xlvii, p. 92.

Trajan as far as the letter p'; again taking the Akerman Road as far as the ravine of Ali-Aga, which it ascends as far as the letter t'; passing thence by the letters u', v', x', y'; reaching from thence, in a straight line, the Val de Trajan at the point where it is intersected by the River Karakourt coming from Koubey, and following it as far as the River Yalpouk, the mid-channel of which it ascends to the mouth of the Kirsaou, to the north of Kongas, and at the letter A; ascending this stream till the line meets the road from Komrat to Borogani at the letter A', which road it follows as far as the letter B, and thence ascends the Lower Yalpougel as far as the letter C, and proceeds as far as the letter D, where it meets the Saratsika, which it ascends as far as the letter E; proceeding from thence towards the Pruth, by the line indicated by the letters v'', x'', y'', z'', r'', a''', b''', c''', d''', e''', f''', g''', h''', i''', j''', and k'''.

Evacuation of Moldavia and Wallachia by Austrian Troops, and Departure of British Squadron from Black Sea and Bosphorus.

The Plenipotentiaries having agreed that the marking out of the Boundary, and the delivery of the Territory to Moldavia, shall be completed by the 30th of March next, at the latest, it is understood that the Austrian troops shall have evacuated the Principalities of Wallachia and of Moldavia, and that the British Squadron shall have quitted the Black Sea and the Bosphorus, at latest, at the same date.

The Convention of the Straits will, from that time, come into force (**No. 265**).

Islands in Delta of the Danube to be replaced under Sovereignty of Turkey.

The Plenipotentiaries agree that the Islands included between the different branches of the Danube at its mouth, and forming the Delta of that River, as shown by the Plan No. 2 hereunto annexed, and initialled, shall, instead of being annexed to the Principality of Moldavia, as stipulated by Article XXI of the Treaty of Paris (**No. 264**), be replaced under the immediate Sovereignty of the Sublime Porte, of which they formerly held.

Isle of Serpents to be an Appendage of Delta of the Danube.

The Plenipotentiaries agree, moreover, that the Treaty of

Paris having, like the Treaties previously concluded between Russia and Turkey, been silent with regard to the Isle of Serpents, that Island is to be considered as an appendage to the Delta of the Danube, and must, in consequence, follow its destination.

Lighthouse to be maintained on Isle of Serpents.

In the general interest of maritime commerce, the Ottoman Government engages to maintain on that Island a Lighthouse destined to render secure the navigation of vessels proceeding to the Danube and to the Port of Odessa; the River Commission, established by Article XVII of the Treaty of Paris (**No. 264**), for the purpose of maintaining the Mouths of that River, and the neighbouring parts of the Sea, in a navigable state, will see to the regular performance of the service of such Lighthouse.

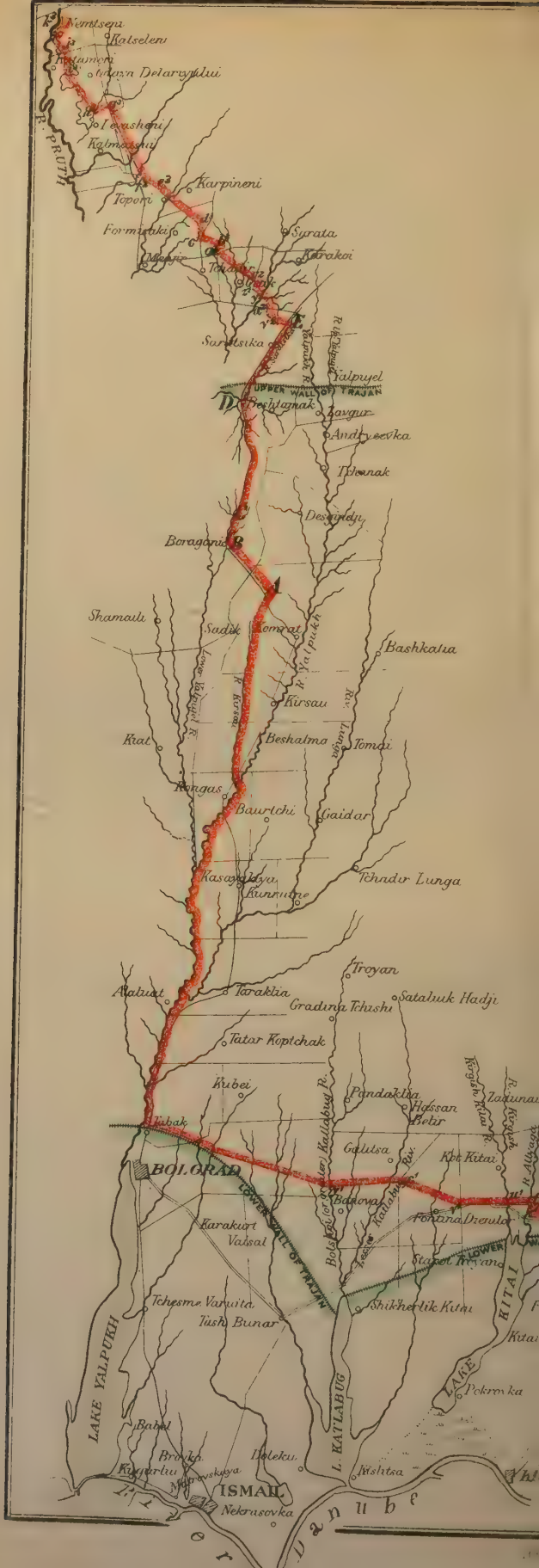
Protocol to have the force of a Convention. Boundary Convention to be signed.

The present Protocol shall have the same force and validity as if it had assumed the form of a Convention; but it is understood that, when the Boundary Commission shall have concluded its labours a Convention shall be signed by the High Contracting Parties recording the Frontier such as it shall have been established by the Commissioners, and the resolutions taken on the subject of the Isle of Serpents and the Delta of the Danube.*

HUBNER.
WALEWSKI.
COWLEY.
HATZFELDT.
BRUNNOW.
VILLAMARINA.
MEHEMMED DJEMIL.

* See Treaty of 19th June, 1857.

MAP
OF THE
BESSARABIAN FRONTIER,
1856, 1857.


Nemtseva
Kalselen
Delary-Yldui
Leushen
Kalmashu
Karpineni
Topori
Formishki
Syrata
Tarakoi
Sarutska
Kalpuyel
Beshtamak
Zavgur
Andreevka
Tchonak
Desirdji
Boragonik
Shamaulu
Sadik
Kemrat
Bashkalia
Kirsau
Beshalma
Tomai
Kiat
Kongas
Baurtchi
Gaidar
Tchndir Lunga
Troyan
Alabust
Taraklia
Gradina Tchushi
Satalmuk Hadji
Tatar Koptchak
Kubei
Pandaklia
Hassan Beir
Zakunai
Tabak
Galutsa
Kot Kitai
BOLGRAD
Karakurt
Valsal
Fontana Drenula
Tchesme Varnita
Tush Bunar
Shikherlik Kutni
LAKE YALPUKH
LAKE KATLABUG
Pokrovka
Babel
Brienka
Kayarlui
Novoselskaya
ISMAIL
Nekrasovka
Tuleku
Kishitsa
Danube
R. PRUTH
R. Yalpuk
R. Katlabug
Bolshoi Katlabug R.
Kitai R.
Kitai
LOWER WALL OF TRAJAN

MAP

SHEWING THE

BOUNDARY BETWEEN

RUSSIA & TURKEY

ON THE

BESSARABIAN FRONTIER

AS FIXED BY THE

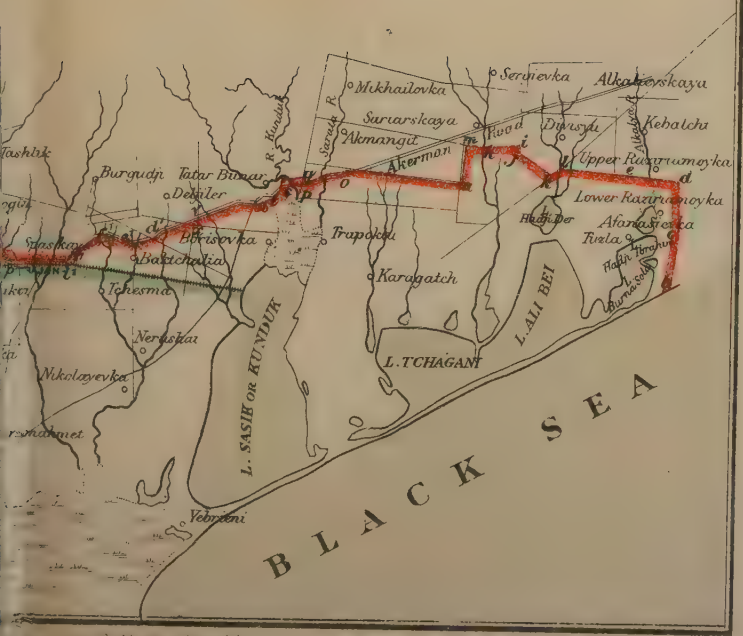
TREATIES OF 30TH MARCH 1856, 6TH JANY 1857, & 19TH JUNE 1857.

Reduced from the Map laid before Parliament in 1857.

Annex N° 1 to the Protocol of Paris of 6th January 1857.

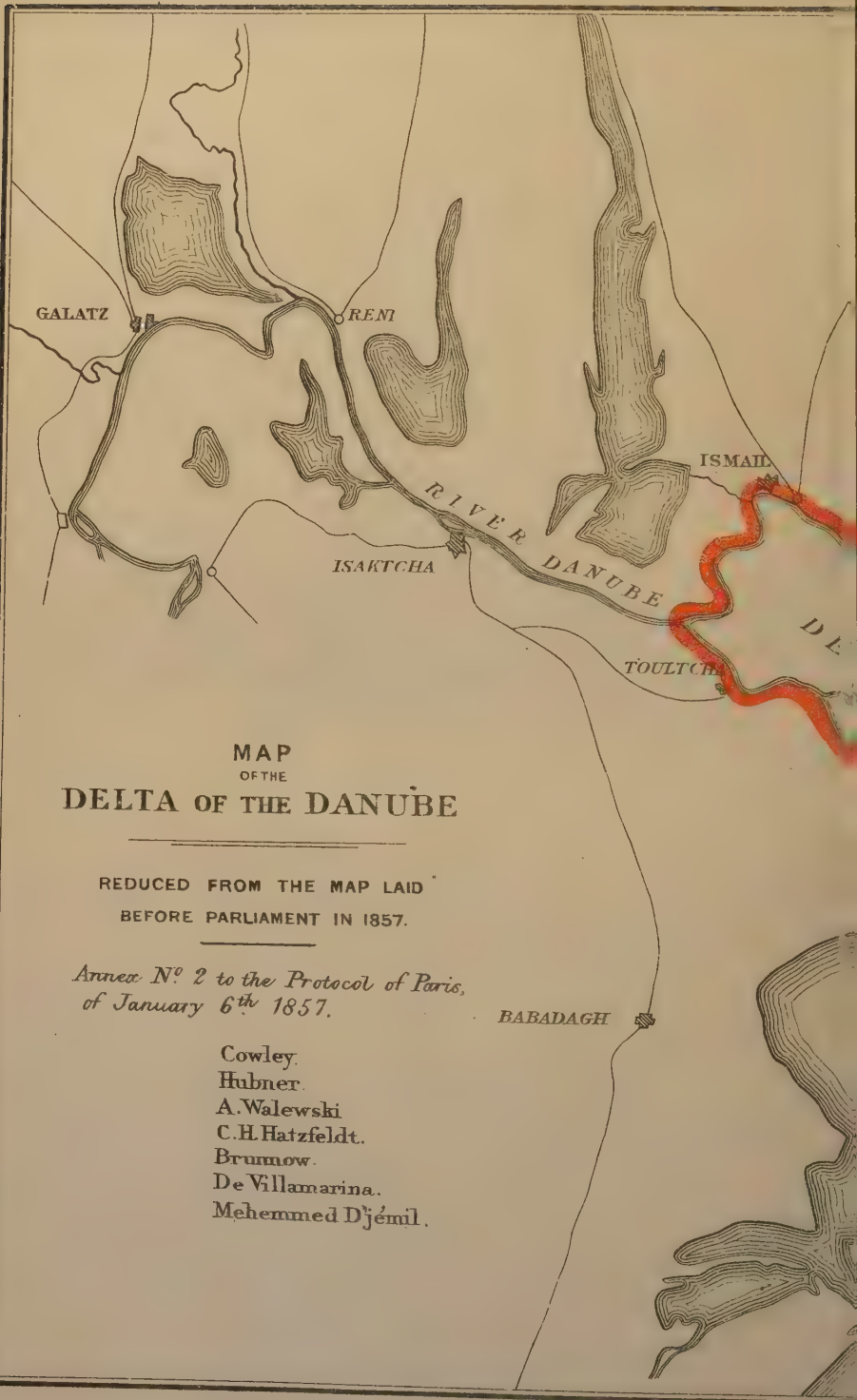
Scale of British Statute Miles.

Cowley.
Hubner.
A. Walewski.
C. H. Hatzfeldt.
Brunnow.
De Villamarina.
Mehemmed Djemil.



MAP
OF THE
BESSARABIAN FRONTIER,
1856, 1857.

MAP
OF THE
DELTA OF THE DANUBE,
1856, 1857.



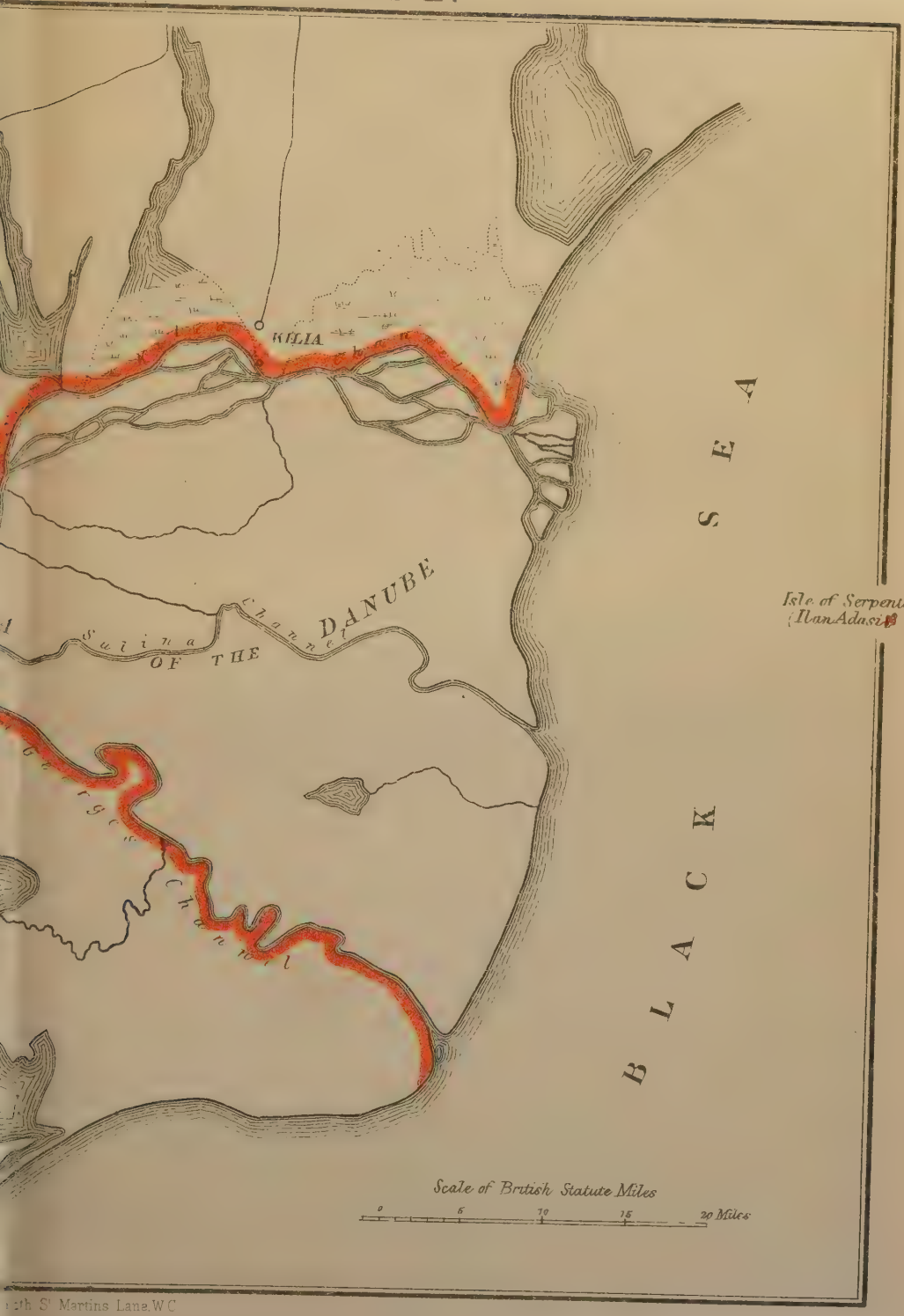
MAP
OF THE
DELTA OF THE DANUBE

REDUCED FROM THE MAP LAID
BEFORE PARLIAMENT IN 1857.

Annex N° 2 to the Protocol of Paris, of January 6th 1857.

Cowley.
Hubner.
A. Walewski.
C. H. Hatzfeldt.
Brunnow.
De Villamarina.
Mehemmed D'jémil.

-TA OF THE DANUBE.



12th St Martins Lane W C

MAP
OF THE
DELTA OF THE DANUBE.
1856, 1857.

No. 278.—*TREATY between Great Britain, Austria, Belgium, France, Hanover, Mecklenburg-Schwerin, Oldenburg, the Netherlands, Prussia, Russia, Sweden and Norway, and the Hans Towns, on the one part, and Denmark, on the other part, for the Redemption of the Sound Dues.* Signed at Copenhagen, 14th March, 1857.*

ART. TABLE.

Preamble.

1. Abolition of Sound Duties on Vessels passing from the North Sea to the Baltic. Reservation as to Powers not Parties to Treaty. Abolition of all Taxes on Commerce and Navigation.
2. Maintenance of Lights and Lighthouses. Change and Increase of Lights, Lighthouses, Buoys, Beacons, and Sea-marks when necessary. Pilotage to be Optional, and Charges the same as for *Danish* Vessels. Permission to *Danes* and foreigners to establish Tugs for Towing Vessels. List of Articles to be Exempt from Duties. Fixed Transit Duties. Reduction of Transit Duties. Convention to be concluded with *Sweden* and *Norway* for the Maintenance of Lighthouses.
3. Engagements to commence on the 1st April, 1857.
4. Compensation to be made to *Denmark*.
5. Payments to be made by Instalments.
6. Separate Engagements to be made by each Contracting Power.
7. Execution of Reciprocal Engagements.
8. Ratifications.

Protocol.

Right of *Denmark* to charge Duties on Vessels of such Powers as shall not have concluded separate Treaties on the 1st April. Verification of Nationality.

Provisional Reduction of Transit Dues to commence from 1st April, 1857.

(Translation as laid before Parliament.†)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians,

* Separate Treaties were also signed with Portugal, on the 12th November, 1858; with Sardinia, on the 25th November, 1857; with the Sicilies, on the 2nd January, 1858; with Spain, on the 25th February, 1860; with Turkey, on the 15th March, 1859; and with The United States, on the 11th April, 1857.

† For French Version, see "State Papers," vol. xlvii, p. 24.

His Majesty the Emperor of the French, His Majesty the King of Hanover, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Royal Highness the Grand Duke of Oldenburg, His Majesty the King of the Netherlands, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, His Majesty the King of Sweden and Norway, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, on the one part; and His Majesty the King of Denmark on the other part; being equally animated with the desire to facilitate and enlarge the Commercial and Maritime relations which at present exist between or through the medium of their respective Dominions, as well by means of the complete and perpetual abolition of all Toll levied upon Foreign Vessels and their Cargoes on passing through the Sound and the Belts, as by means of a reduction of charge upon goods passing in Transit over the lines of communication which connect the North Sea and the Elbe with the Baltic, have resolved to conclude a special Treaty for that purpose, and have accordingly furnished with their Full Powers, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Andrew Buchanan, Esquire, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Denmark;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Charles Jaeger, his Chargé d'Affaires at the Court of His Majesty the King of Denmark;

His Majesty the King of the Belgians, the Sieur Alcindor Chevalier Beaulieu, his Envoy Extraordinary and Minister Plenipotentiary to His Danish Majesty, &c.;

His Majesty the King of Denmark, the Sieur Christian Albert Bluhme, his Privy Councillor of Conferences, and Director of the Customs of Oresound, &c.;

His Majesty the Emperor of the French, the Sieur Adolphus Dotezac, his Envoy Extraordinary and Minister Plenipotentiary to his Majesty the King of Denmark, &c.;

His Majesty the King of Hanover, the Sieur Charles Hanbury, his Minister Resident, and Privy Councillor of Legation, &c.;

His Royal Highness the Grand Duke of Mecklenburg-Schwerin, the Sieur Charles Frederick William Prosch, his Councillor of Regency and Privy Councillor of Legation, &c.;

His Royal Highness the Grand Duke of Oldenburg, the Sieur Albert John Theodore Erdman, his Councillor of Regency, &c.;

His Majesty the King of the Netherlands, the Sieur Henry Charles du Bois, his Minister Resident to His Majesty the King of Denmark, &c.;

His Majesty the King of Prussia, the Sieur Alphonse Henry, Count of Oriolla, his Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Denmark, &c.;

His Majesty the Emperor of All the Russias, the Sieur Jules de Tegoborski, his Councillor of College, &c.;

His Majesty the King of Sweden and Norway, the Sieur Nicholas William Baron de Wetterstedt, his Chamberlain, his Chargé d'Affaires at the Court of His Danish Majesty, &c.;

And the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, the Sieur Frederick Krüger, Doctor of Laws, Minister Resident of the said Cities to His Majesty the King of Denmark;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:—

ART. I. His Majesty the King of Denmark engages to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians, His Majesty the Emperor of the French, His Majesty the King of Hanover, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Royal Highness the Grand Duke of Oldenburg, His Majesty the King of the Netherlands, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, His Majesty the King of Sweden and Norway, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, who accept such engagement:—

Abolition of Sound Duties to Vessels passing from the North Sea to the Baltic. Reservation as to Powers not Parties to Treaty.

1. Not to levy any duty of Customs, Tonnage, Light, Light-houses, Beacons, or any other charge whatever, either in regard to Vessel or Cargo, upon Ships sailing from the North Sea to the Baltic, or *vice versâ*, on passing through the Belts or the Sound, whether they simply traverse the Danish waters, or whether

they may be obliged by casualties or by commercial operations to anchor or lie-to therein. No Vessel whatever shall henceforward be subjected, under any pretext, to any detention or impediment whatever, in the Passage of the Sound or of the Belts; but His Majesty the King of Denmark expressly reserves to himself the right of regulating, by special Arrangements, not involving Visit or Detention, the treatment in regard to Duties and Customs, of Vessels belonging to Powers which are not parties to the present Treaty.

Abolition of all Taxes on Commerce and Navigation.

2. Not to levy upon such of the said Vessels as may enter or depart from Danish ports, whether with Cargo or in Ballast, and whether they have or have not performed any operation of Commerce therein, nor upon their Cargoes, any Tax whatever to which such Vessels or their Cargoes would have been liable on account of the Passage through the Sound and the Belts, and which is abolished by the stipulations of the preceding paragraph; and it is well understood that the Taxes which shall be so abolished, and which consequently shall not be levied either in the Sound and the Belts or in Danish ports, shall never be reimposed indirectly by any augmentation, for that purpose, of the Port and Customs Dues now existing, nor by the introduction for that purpose, of fresh Dues of Navigation or Customs; nor in other manner whatever.

Art. II. His Majesty the King of Denmark engages, moreover, to the above-mentioned High Contracting Parties:—

Maintenance of Lights and Lighthouses.

1. To preserve and maintain in the best state all the Lights and Lighthouses existing either at the entrance or in the approaches to his Ports, Harbours, Roads, and Rivers or Canals, or along his Coasts, as well as the Buoys, Beacons, and Sea-marks actually existing, and serving to facilitate Navigation in the Kattegat, the Sound, and the Belts.

Change and increase of Lights, Lighthouses, Buoys, Beacons, and Sea-marks when necessary.

2. To take into most serious consideration, as heretofore, in the general interest of Navigation, the utility or expediency eithe

of changing the position or the forms of such Lights, Light-houses, Buoys, Beacons, and Sea-marks, or of increasing the number thereof; the whole without charge of any kind upon Foreign Vessels.

Pilotage to be optional, and Charges the same as for Danish Vessels.

3. To superintend, as heretofore, the service of Pilotage, the employment of which in the Kattegat, the Sound, and the Belts, shall at all times be at the option of Captains and Masters of Vessels. It is understood that the charges for Pilotage shall be moderate; that the rate thereof shall be the same for Danish Vessels and for Foreign Vessels; and that the charge for Pilotage shall be exacted from those Vessels only which shall have voluntarily employed Pilots.

Permission to Danes and Foreigners to establish Tugs for Towing Vessels.

4. To permit, without any restriction, any private individuals, Danes or Foreigners, to establish and to station in the Sound and in the Belts, freely and on the same conditions, whatever nation they may belong to, Tugs serving exclusively for the Towing of Vessels which may desire to employ them.

5. *List of Articles to be exempt from Duties.*

Fixed Transit Duties.

6. To reduce on all the said Roads or Canals to a uniform rate, in proportion to weight, not exceeding 16 skillings Danish per 500 pounds Danish, the Transit Duty on all goods which are now chargeable with duty, such charge not to be augmented by any other charge, under any denomination whatever.

Reduction of Transit Duties.

In case the Transit Duties should be reduced below the rate above specified, His Majesty the King of Denmark engages to place all the Roads or Canals which do or may connect the North Sea and the Elbe with the Baltic or its Tributaries on a footing of perfect equality with the Most Favoured Roads which now exist or may hereafter be established, upon his Territory.

Convention to be concluded with Sweden and Norway for the Maintenance of Lighthouses.

7. His Majesty the King of Sweden and Norway having, by a special Convention concluded with His Majesty the King of Denmark, contracted with His said Majesty the engagement to maintain the Lighthouses upon the coasts of Sweden and Norway, which serve to light and facilitate the Passage of the Sound and the entrance of the Kattegat; His Majesty the King of Denmark engages to make a Definitive Arrangement with His Majesty the King of Sweden and Norway, for ensuring for the future the maintenance and support of those Lighthouses as hitherto, without any charge on that account upon Vessels passing by the Sound and the Kattegat.

Engagements to commence on the 1st April, 1857.

ART. III. The engagements contained in the two preceding Articles shall come into operation from and after the 1st of April, 1857.

Compensation to be made to Denmark.

ART. IV. As compensation for the sacrifices which the stipulations above mentioned will impose upon His Majesty the King of Denmark, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians, His Majesty the Emperor of the French, His Majesty the King of Hanover, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Royal Highness the Grand Duke of Oldenburg, His Majesty the King of the Netherlands, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, His Majesty the King of Sweden and Norway, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, engage on their part to pay to His Majesty the King of Denmark, who accepts the same, a total sum of 30,476,325 rigs-dollars, to be thus assessed:

	Rd. R. M.
Upon Great Britain	10,126,855
„ Austria	29,434
„ Belgium	301,455
„ Bremen	218,585
„ France	1,219,003

	Rd. R. M.
Upon Hamburg	107,012
„ Hanover	123,387
„ Lubeck	102,996
„ Mecklenburg	373,663
„ Norway	667,225
„ Oldenburg	28,127
„ Netherlands	1,408,060
„ Prussia	4,440,027
„ Russia	9,739,993
„ Sweden	1,590,503

It is fully understood that each of the High Contracting Parties shall be eventually responsible only for the share placed to its own charge.

Payments to be made by Instalments.

ART. V. The sums specified in the preceding Article may, subject to the reservations hereinafter set forth in Section 3 of Article VI, be paid in 20 years, by 40 equal half-yearly Payments, which shall cover both Capital and the Interest accruing on Instalments not due.

Separate Engagements to be made by each Contracting Power.

ART. VI. Each of the High Contracting Powers engages to regulate and determine with His Majesty the King of Denmark, by a separate and special Convention* :

1. The mode and place of payment of the 40 above-mentioned half-yearly Instalments for the amount placed to its charge by Article IV ;

2. The mode and the rate of conversion into foreign money of the amounts of Danish Currency specified in the same Article ;

3. The conditions and the mode of entire or partial Redemption which each Power expressly reserves to itself the right to effect at any time, in order to anticipate the total discharge of its share of the Indemnity hereinbefore stipulated.

Execution of Reciprocal Engagements.

ART. VII. The Execution of the Reciprocal Engagements contained in the present Treaty, is expressly declared to be subject to

* See Convention between Great Britain and Denmark of the same date, page 1310.

the fulfilment of the formalities and rules prescribed by the constitutional laws of those of the High Contracting Parties for whom such a sanction is needful, and who engage to take measures for obtaining the same with the least possible delay.

*Ratifications.**

ART. VIII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Copenhagen, before the 1st of April, 1857, or as soon as possible after that date.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at Copenhagen, the 14th day of March, 1857.

(L.S.) ANDREW BUCHANAN.
(L.S.) CARL JAEGER.
(L.S.) BEAULIEU.
(L.S.) DOTEZAC.
(L.S.) HANBURY.
(L.S.) PROSCH.
(L.S.) ERDMANN.
(L.S.) DU BOIS.
(L.S.) ORIOLLA.
(L.S.) TEGOBORSKI.
(L.S.) WETTERSTEDT.
(L.S.) KRUGER.
(L.S.) BLUHME.

PROTOCOL of Conference, held at Copenhagen, 14th March, 1857.

(Translation as laid before Parliament.†)

Right of Denmark to charge Duties on Vessels of Powers that shall not have concluded separate Treaties on the 1st April. Verification of Nationality.

IN case it should not be possible for the execution of the engagements contained in Articles VII and VIII of the Treaty of this date to take place before the 1st of April, 1857, it is understood that the Danish Government shall retain the right to maintain provisionally after that date, by taking security, the Dues which it has engaged to abolish; but as soon as any of the Contracting Powers shall have fulfilled the said engagements, the Danish Government shall, on its part, terminate the provisional measure of taking security, and shall direct the discharge of such

* Ratifications exchanged at Copenhagen, 31st March, 1857.
† For French version, see "State Papers," vol. xlvii, p. 35.

securities with regard to the Vessels of such Power and their Cargoes. The Danish Government may, nevertheless, until all the Contracting Parties shall have definitively accomplished the engagements contained in Articles VII and VIII, require from exempted Vessels the verification of their Nationality, without, however, thereby occasioning to such Vessels any delay or detention.

Provisional Reduction of Transit Dues to commence from 1st April, 1857.

In regard to the reduction of the Transit Dues, the Danish Government, considering that it is practically impossible to apply thereto the same provisional system as to Vessels, consents to put provisionally into execution, in all respects, from and after the 1st of April, 1857, sections 5 and 6 of Article II of the General Treaty.

It is understood that such Provisional Arrangement shall assume a definitive character from the moment when the present Protocol shall cease to apply to the Sound and the Belts.

Done at Copenhagen, the 14th of March, in the year of Our Lord, 1857.

ANDREW BUCHANAN.
JAEGER.
BEAULIEU.
DOTEZAC.
HANBURY.
PROSCH.
ERDMANN.
DU BOIS.
ORIOLLA.
TEGOBORSKI.
WETTERSTEDT.
KRUGER.

BLUHME.

No. 279.—*CONVENTION between Great Britain and Denmark, to complete the Arrangements for the Redemption of the Sound Dues.* Signed at Copenhagen, 14th March, 1857.*

ART. TABLE.

Preamble.
1. Parliament to be recommended to Pay Compensation for Abolition of Sound Dues.
2. Amount to be Paid 3 Months after consent of Parliament.
3. Privileges, &c., conceded to any third Power to be extended to *Great Britain.*
4. Ratifications.

(English Version.†)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Denmark, being desirous to complete the arrangements contained in the General Treaty of this date (**No. 278**), to which their Majesties are Contracting Parties, for the Abolition of Tolls levied on Vessels and their Cargoes passing the Sound and the Belts, and for the reduction of the Duties on Goods passing in Transit by the various lines of communication which connect the North Sea and the Elbe with the Baltic, have resolved to conclude a Special Convention for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Andrew Buchanan, Esquire, her Envoy Extraordinary and Minister Plenipotentiary to His Danish Majesty;

And His Majesty the King of Denmark, the Sieur Christian Albrecht Bluhme, his Privy Councillor of Conferences, and Director of the Oresound Customs, &c.;

* Separate Treaties were also entered ir to by Denmark with Austria, Belgium, France, Hanover, Mecklenburg-Schwerin, Netherlands, Oldenburg, Prussia, Russia, Sweden and Norway, Bremen, Hamburg, and Lubeck.

† For French Version, see "State Papers," vol. xlvii, p. 32.

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:

Parliament to be recommended to pay Compensation for Abolition of Sound Dues.

ART. I. Her Britannic Majesty engages to recommend to her Parliament to enable her to pay to His Majesty the King of Denmark the sum of 10,126,855 rigs-dollars, being the proportion falling to the charge of Great Britain, as stipulated by Article IV of the General Treaty of this date (**No. 278**), of the total sum of 35,000,000 of rigs-dollars to be paid to and received by His Majesty the King of Denmark, in full compensation for the sacrifices which the arrangements of the said Treaty impose upon His Danish Majesty.*

Amount to be Paid 3 months after consent of Parliament.

ART. II. The sum of 10,126,855 rigs-dollars, mentioned in the preceding Article, shall be converted into sterling money at the rate of 9 rigs-dollars to the pound sterling, and thus amounts to 1,125,206 pounds sterling. This sum shall be paid at London, to such person as may be authorised by His Majesty the King of Denmark to receive the same, within 3 months after the requisite Act shall have been passed by the Parliament of Her Britannic Majesty.

Privileges, &c., conceded to any third Power to be extended to Great Britain.

ART. III. In case any Favour, Privilege, Facility, or Advantage whatever, in matters connected with the communications which connect the North Sea and the Elbe with the Baltic, beyond those specified in the General Treaty of this date, should be conceded by His Majesty the King of Denmark to any third Power, His Danish Majesty engages that the same shall be immediately extended to Her Britannic Majesty, gratuitously if the concession in favour of the third Power shall have been gratuitous, or in return for an equivalent compensation if the concession shall have been conditional.

* On the 13th July, 1857, an Act of Parliament was passed (20 & 21 Vict., c. 12) to carry this Convention into effect.

*Ratifications.**

ART. IV. The present Convention shall be ratified, and the Ratifications shall be exchanged at Copenhagen at the same time with those of the General Treaty signed this day.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at Copenhagen, the 14th day of March, in the year of Our Lord, 1857.

(L.S.) ANDREW BUCHANAN.
(L.S.) BLUHME.

* Ratifications exchanged at Copenhagen, 31st March, 1857.

No. 280.—*DEFINITIVE ACT between the Commissioners of Great Britain, Austria, France, Russia, and Turkey, relative to the Bessarabian Frontier. Signed at Kichineff,* $\frac{\text{30th March,}}{\text{11th April,}}$ 1857.

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856.
1. Line of Demarcation.
2. Maps of Frontier.
3. Detailed Demarcation of Frontier.
4. Dimensions of Truncated Cones and Ditch.
5. Repairs of Boundary Marks.
6. Right of Inhabitants of the two Banks to Watercourses forming the Frontier.
7. 5 Copies of Topographical Map, and Specification, as well as the General Map of the Ceded Territory and Statistical Table, to be signed by the Commissioners, one for each of the 5 Powers.
8. Ratifications.

(Translation.*)

Reference to Treaty of 30th March, 1856.

IN virtue of Article XX of the Treaty of Peace concluded at Paris the $\frac{18}{30}$th March, 1856 (**No. 264**), and for the purpose of fixing in detail the tracing of the new Frontier between the Empire of Russia and the Empire of Turkey in Bessarabia, their Majesties the Emperor of Austria, the Emperor of the French, the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of All the Russias, and the Emperor of the Ottomans, have appointed as their Commissioners, namely:

His Majesty the Emperor of Austria, the Sieur Antoine Kalik, Colonel of the Imperial and Royal Staff, &c.;

His Majesty the Emperor of the French, the Sieur Pierre Marc Besson, Lieutenant-Colonel of the Imperial Staff, &c.;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Sieur Edward Stanton, Lieutenant-Colonel of Engineers, &c.;

His Majesty the Emperor of All the Russias, the Sieur Michel Fanton de Verrayon, Major-General of the Imperial Staff, &c.;

* For French Version, see "State Papers," vol. l, p. 1020.

and the Sieur Alexander Baron de Stakelberg, Colonel of the Imperial Staff, &c.;

His Majesty the Emperor of the Ottomans, Mouhliss Pasca, Prince Gregoire Stourdza, General of Division, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, have formed themselves into a Boundary Commission, $\frac{20\text{th May}}{1\text{st June}}$, 1856.

The said Commissioners of the 5 Powers, after having determined upon the Territory, and in all its details on the new Frontier, in conformity, in so far as the disposition of the localities admit of it, with the directions of Article XX of the above-mentioned Treaty, and the stipulations of the Protocol of 6th January, 1857 (**No. 276**), declare the tracing of that Frontier to be established under the following principles and conditions:

Line of Demarcation.

Art. I. The Line of Demarcation which shall henceforth separate in Bessarabia, from the Black Sea, as far as the Pruth, the States of His Majesty the Emperor of All the Russias from those of His Majesty the Emperor of the Ottomans is marked on the Ground:

1. In the dry parts by a series of earthen truncated cones, each surmounted by a stone, numbered, and united to each other by a ditch:

2. In those parts where the Line follows the course of the waters, it shall be marked by the Thalweg.

Maps of Frontier.

Art. II. The said Line of Demarcation is drawn on a Topographical and Special Map, on the scale of $\frac{1}{21000}$, and it is described in all its details in a specification.

A General Map has also been drawn up on a scale of $\frac{1}{21000}$ of all the ceded Territory. The latter Map is accompanied by a Statistical Table, communicated by the Local Authorities, and containing a condition of the Towns, Boroughs, and Villages, &c., with an account of the amount of land and population.

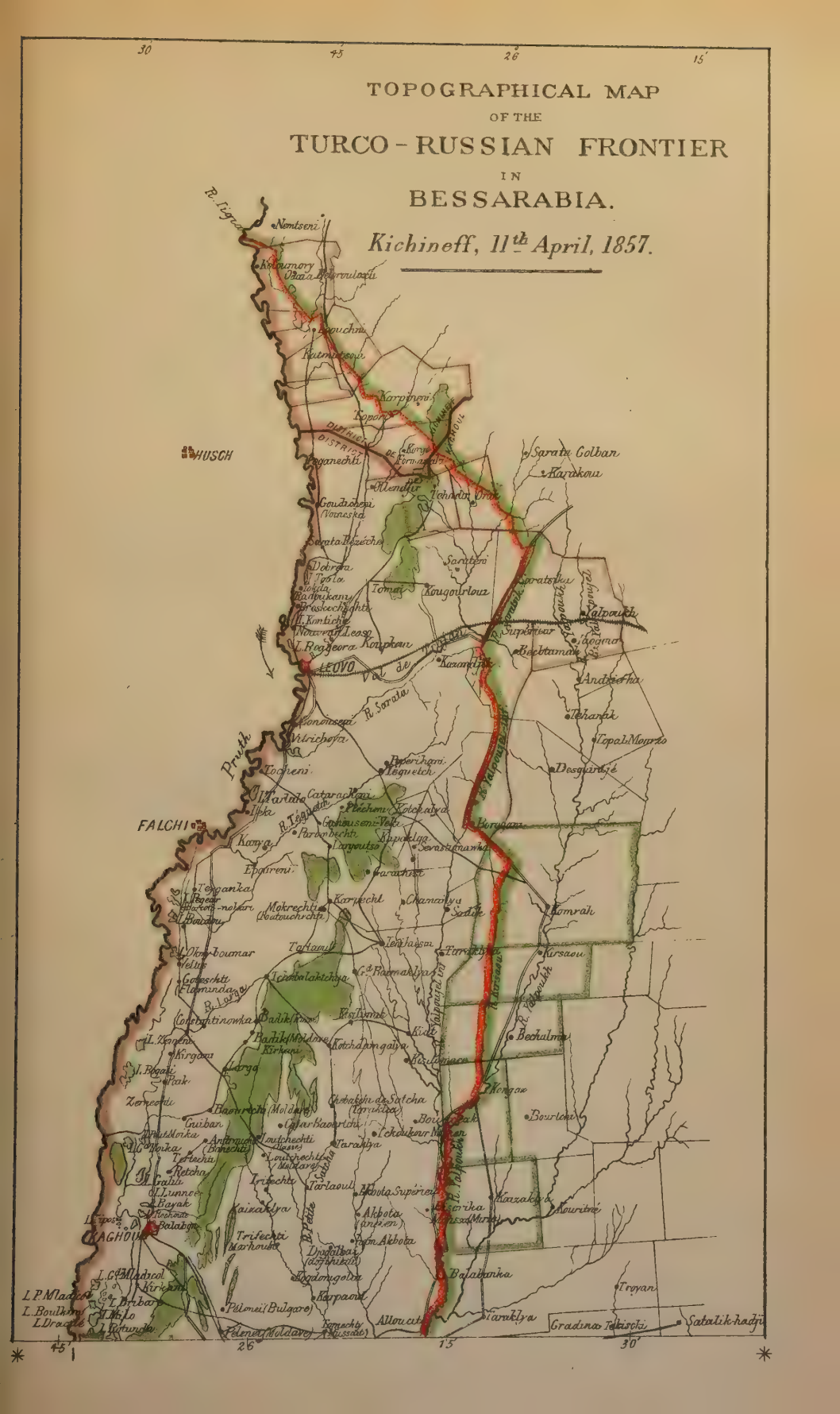
Art. III. *Detailed Demarcation of Frontier.*

Art. IV. *Dimensions of Truncated Cones and Ditch.*

Art. V. *Repairs of Boundary Marks.*

TOPOGRAPHICAL MAP
OF THE
TURCO-RUSSIAN FRONTIER
IN
BESSARABIA.

Kichineff, 11th April, 1857.



TOPOGRAPHICAL MAP

OF THE

BESSARABIAN FRONTIER

1857.

Section I.

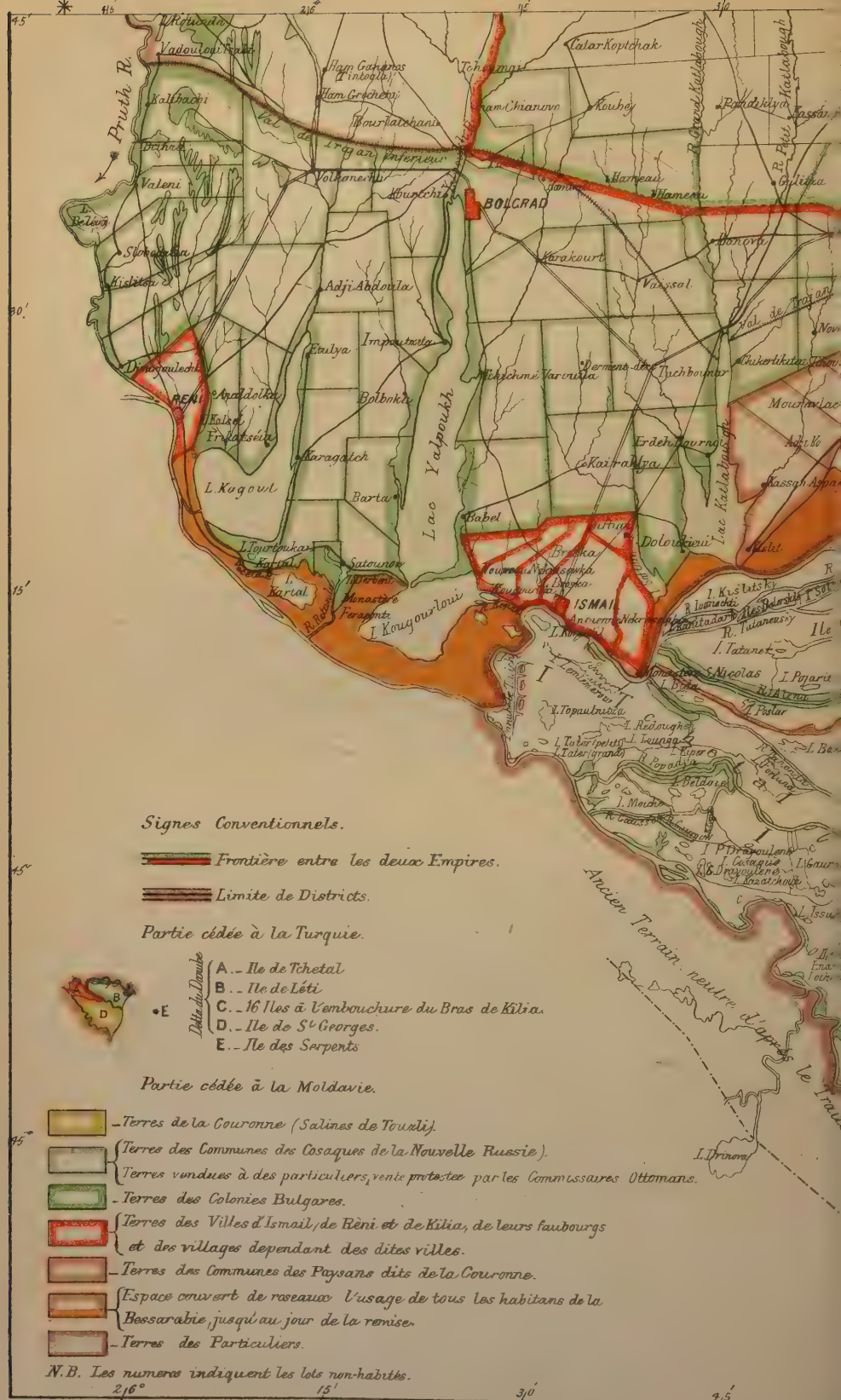
TOPOGRAPHICAL MAP

OF THE

BESSARABIAN FRONTIER

1857.

Section 2.


Pruth R.
Vadoului Kasa
Kalfbachi
Bothak
Valeni
Belevg
Slobodzia
Kislitza
Dragoulechi
RENI
Anaddolka
Kolkot
Er Katséia
L. Kugoul
Karagatch
Barta
Etulya
Improutata
Adji Abdoula
Volhonenitz
Kourtchi
Ham Gaharas (Intoglu)
Ham Grecheni
Ham Latchani
Ham Chianovo
Tchaimait
Tatar Kopitchak
Koubey
Rakovet Kaitabouga
Petit Kaitabouga
Hameau
BOLGRAD
Varakourt
Vassilol
Banova
Lac Yalpoukh
Lac Kaitabouga
Bolbokta
Babel
Dolonkioui
ISMAIL
Kartal
Satounow
Monastère Farapinta
L. Kougoulouis
Tatanet
Monastère S. Nicolas
Topaulnitza
Reduguet
Beldare
Ancien Terrain neutre d'après le Traité
L. Drinova
Signes Conventionnels.
Frontière entre les deux Empires.
Limite de Districts.
Partie cédée à la Turquie.
Delta du Danube
A. Ile de Tchetal
B. Ile de Léti
C. 16 Iles à l'embouchure du Bras de Kilia.
D. Ile de St. Georges.
E. Ile des Serpents
Partie cédée à la Moldavie.
Terres de la Couronne (Salines de Touzli).
Terres des Communes des Cosaques de la Nouvelle Russie).
Terres vendues à des particuliers, vente protestée par les Commissaires Ottomans.
Terres des Colonies Bulgares.
Terres des Villes d'Ismail, de Rèni et de Kilia, de leurs faubourgs et des villages dependant des dites villes.
Terres des Communes des Paysans dits de la Couronne.
Espace couvert de roseaux l'usage de tous les habitans de la Bessarabie, jusqu'au jour de la remise.
Terres des Particuliers.
N.B. Les numeros indiquent les lots non-habités.
45°
30'
15'
2,6°
3,0'
4,5'

MER NOIRE
Ile des Serpents
Bouches du Danube
Soulina
Kilia
Mikhailowka
Sergiewka
Tarhlik
Bourgoudje
Tatar-Baumy
Dolgoleva
Nemanighat
Ram Sary
Dunavatsi
Kobabtchi
Bazarianowka
Alexandrowka
Tchouchma
Eskipolos
Troparitsa
Tchatalbach
Touzli
Lac Chagony
Zelokaya
Lac Sasyk ou Kounduk
Drakmitia
Karamanki
Parparna
Gebrium
Ancienne Kilia
Vadya
Soulina
Quarantaine
Passe de Douane
Phare
Etablissement de Pêcheurs
Rochoulets
Steppe de Kouthurlezi
Kouturlezi
Gueuz des Bourgas
Tchovali
Lac Alibei
Lac Babei
Lac Malilay
Lac Aesaunga
Lac Razelm
Lac Kugurlui
Lac Kougourlouy
Lac Yalpug
Lac Kartal
Lac Katlabouk
Lac Yaloutza
Lac Kougourlouy
Lac Sasyk
Lac Kounduk

TOPOGRAPHICAL MAP

OF THE

BESSARABIAN FRONTIER

1857.

Section 2.

ART. VI. *Right of Inhabitants of the two Banks to Watercourses forming the Frontier.*

ART. VII. *Five Copies of Topographical Map and Specification, as well as the General Map of the Ceded Territory and Statistical Table, to be signed by the Commissioners, one to be for each of the Powers.*

Ratifications.

ART. VIII. The present Definitive Boundary Act, in eight Articles, has been signed by all the Commissioners, in virtue of their Full Powers.

That Act shall be immediately submitted to the Ratification of the Governments of Austria, France, Great Britain, Russia, and Turkey, by their respective Commissioners.*

Done at Kichineff, $\frac{\text{30th March}}{\text{11th April}}$, 1857.

(L.S.) KALIK.
(L.S.) BESSON.
(L.S.) ED. STANTON.
(L.S.) M. FANTON DE VERRAYON.
(L.S.) BARON A. DE STAKELBERG.
(L.S.) MOUHLISS PRINCE G. STOURDZA.

* See Treaty of 19th June, 1857, Art. I.

No. 281. — *TREATY between Great Britain, Austria, France, Prussia, Russia, and the Swiss Confederation, relative to Neufchatel and Valengin. Signed at Paris, 26th May,* 1857.

ART. TABLE.

Preamble.
1. Renunciation by *Prussia* of Sovereignty over Principality of *Neufchatel* and County of *Valengin*.
2. *Neufchatel* to form part of *Swiss* Confederation.
3. *Swiss* Confederation to pay Expenses of Events in 1856. *Neufchatel* to pay Proportion as one of the Cantons.
4. Mode of Payment of *Neufchatel* proportion.
5. Amnesty for all Offences.
6. Revenues of Property to the Church.
7. Maintenance of Capital and Revenues of Religious and other Institutions.
8. Ratifications.

(Translation as laid before Parliament.*)

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, and the Emperor of All the Russias, being desirous to preserve the general Peace from any cause of disturbance, and, with that view, to place in harmony with the requirements of the repose of Europe the international state of the Principality of Neufchatel and of the County of Valengin;

And His Majesty the King of Prussia, Prince of Neufchatel and Count of Valengin, having signified his intention, with a view to the same object, of deferring to the wishes of his Allies, the Swiss Confederation has been invited to come to an understanding with Their said Majesties as to the means most suitable for obtaining that result.

In consequence, Their said Majesties and the Swiss Confederation have resolved to conclude a Treaty, and have named as their Plenipotentiaries :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard Charles Earl Cowley, Viscount Dangan, Baron Cowley, a Peer of the

* For French version, see "State Papers," vol. xlvii, p. 40.

United Kingdom, a Member of Her Britannic Majesty's Privy Council, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, M. Joseph Alexander Baron de Hübner, his actual Privy Councillor, and his Ambassador to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the French, M. Alexandre Count Colonna Walewski, a Senator of the Empire, his Minister and Secretary of State for Foreign Affairs, &c.;

His Majesty the King of Prussia, M. Maximilian Frederick Charles Francis Count of Hatzfeldt-Wildenburg-Schœnstein, his actual Privy Councillor, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of All the Russias, the Count Paul Kisseleff, his Aide-de-camp General, a General of Infantry, a Member of the Council of the Empire, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

The Federal Council of the Swiss Confederation, Doctor John Conrad Kern, a Member of the Council of the Swiss States, Minister Plenipotentiary and Envoy Extraordinary charged with a Special Mission, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:

Renunciation by Prussia of Sovereignty over Principality of Neufchatel and County of Valengin.

ART. I. His Majesty the King of Prussia consents to renounce in perpetuity, for himself, his heirs and successors, the Sovereign Rights over the Principality of Neufchatel and the County of Valengin, which are assigned to him by Article XXIII of the Treaty concluded at Vienna on the 9th of June, 1815 (**No. 27**).

Neufchatel to form part of Swiss Confederation.

ART. II. The State of Neufchatel, dependent henceforward on itself, shall continue to form part of the Swiss Confederation on the same footing as the other Cantons, and in conformity with Article LXXV of the aforesaid Treaty (**No. 27**).

Swiss Confederation to pay Expenses of Events in 1856. *Neufchatel to pay proportion as one of the Cantons.*

ART. III. The Swiss Confederation undertakes all the expenses resulting from the events of September, 1856. The Canton of Neuchatel shall only be required to contribute to those charges as any other Canton, and according to the proportion of its money contingent.

Mode of Payment of Neufchatel Proportion.

ART. IV. The expenses to be borne by the Canton of Neufchatel shall be divided among all the inhabitants on the principle of an exact proportion, and shall not, by means of an exceptional impost, or in any other manner, be levied exclusively or principally upon one class or description of families or individuals.

Amnesty for all Offences.

ART. V. A full and complete Amnesty shall be proclaimed for all offences or infractions, civil or military, relating to the late events, and in favour of all the inhabitants of Neufchatel, whether Swiss or Foreigners, and specially in favour of those men of the militia who, by going abroad, evaded the obligation of bearing arms.

No suit, whether criminal, or correctional for damages, shall be brought, either by the Canton of Neufchatel, or by any other corporation or person whatsoever, against those who took part, directly or indirectly, in the events of September.

The Amnesty shall equally extend to all political offences, and all offences of the Press, anterior to the events of September.

Revenues of Property of the Church.

ART. VI. The Revenues of the Property of the Church, which was in 1848 united to the domain of the State, shall not be diverted from their original destination.

Maintenance of Capital and Revenues of Religious and other Institutions.

ART. VII. The Capital and the Revenues of Pious Foundations, of Private Institutions, of Public Utility, as well as the fortune bequeathed by the Baron de Pury to the Citizens of Neufchatel, shall be religiously respected; they shall be main-

tained in conformity with the intentions of the founders and with the deeds which established such foundations, and shall never be diverted from their object.

*Ratifications.**

ART. VIII. The present Treaty shall be ratified, and the Ratifications shall be exchanged in 21 days, or sooner if possible. The exchange shall take place at Paris.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 26th of May, 1857.

(L.S.) COWLEY.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) C. M. D'HATZFELDT.
(L.S.) CTE. KISSELEFF.
(L.S.) KERN.

* Ratifications exchanged at Paris, 16th June, 1857.

No. 282.—*TREATY between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the Frontier in Bessarabia, the Isle of Serpents, and the Delta of the Danube. Signed at Paris, 19th June, 1857.*

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856.
1. Map of Frontier between *Russia* and *Turkey* in *Bessarabia*.
2. Islands at Mouths of the *Danube* to be under Sovereignty of Sultan of *Turkey*.
3. *Turkish* Sovereignty over Island of *Serpents*.
4. Maintenance by *Turkey* of Lighthouse on Island of *Serpents*.
5. Ratifications.

(Translation as laid before Parliament.*)

Reference to Treaty of 30th March, 1856.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of All the Russias, the King of Sardinia, and the Emperor of the Ottomans, considering that the Boundary Commission charged with the execution of Article XX of the Treaty of Paris, of the 30th March, 1856 (**No. 264**), has terminated its labours, and desiring to act in conformity with the arrangements of the Protocol of the 6th of January last (**No. 277**), by recording in a Treaty the Modifications made by common consent in that Article, as well as the Resolutions adopted with regard to the Isle of Serpents and the Delta of the Danube, and contained in the same Protocol, have named as their Plenipotentiaries for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard Charles, Earl Cowley, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, M. Joseph Alexander Baron de Hübner, and his Ambassador to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the French, M. Alexandre Count

* For French Version, see "State Papers," vol. xlvii, p. 60.

Colonna Walewski, his Minister and Secretary of State for Foreign Affairs, &c.;

His Majesty the King of Prussia, M. Maximilian Frederick Charles Francis Count of Hatzfeldt-Wildenburg-Schœnstein, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of All the Russias, the Count Paul Kisseleff, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the King of Sardinia, M. Salvator Marquis de Villamarina, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

And His Majesty the Emperor of the Ottomans, Mehemmed Djemil Bey, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following Articles:

Frontier of Russia and Turkey in Bessarabia.

ART. I. The Line of Frontier of Russia and of Turkey in Bessarabia is, and remains determined in conformity with the Topographic Map prepared by the Boundary Commissioners at Kichenew on the 30th of March, 1857; which Map is annexed to the present Treaty, after having been initialled.*

Islands at Mouths of the Danube to be under Sovereignty of Sultan of Turkey.

ART. II. The Contracting Powers agree that the Islands included between the different branches of the Danube at its mouth, and forming the Delta of that river, as shown by the Plan annexed to the Protocol of the 6th of January, 1857 (**No. 276**), shall, instead of being annexed to the Principality of Moldavia, as implied in the stipulations of Article XXI of the Treaty of Paris (**No. 264**), be replaced under the immediate Sovereignty of the Sublime Porte, of which they formerly held.

Turkish Sovereignty over Island of Serpents.

ART. III. The Treaty of the 30th March, 1856 (**No. 264**), having, like the Treaties previously concluded between Russia

* See Map facing page 1314, and Definitive Act of 11th April, 1857.

and Turkey, been silent with regard to the Isle of Serpents, and the High Contracting Parties having agreed that it was proper to consider that Island as a dependency of the Delta of the Danube, its destination is fixed according to the arrangements of the preceding Article.

Maintenance by Turkey of Lighthouse on Island of Serpents.

ART. IV. In the general interest of maritime commerce, the Sublime Porte engages to maintain on the Isle of Serpents a Lighthouse destined to afford security to the navigation of vessels proceeding to the Danube and to the port of Odessa. The River Commission established by Article XVII of the Treaty of the 30th of March, 1856 (**No. 264**), for the purpose of maintaining the mouths of that river and the neighbouring parts of the sea in a navigable state, will see to the regular performance of the service of such Lighthouse.

*Ratifications.**

ART. V. The present Treaty shall be ratified, and the Ratifications shall be exchanged in 4 weeks, or sooner if possible.

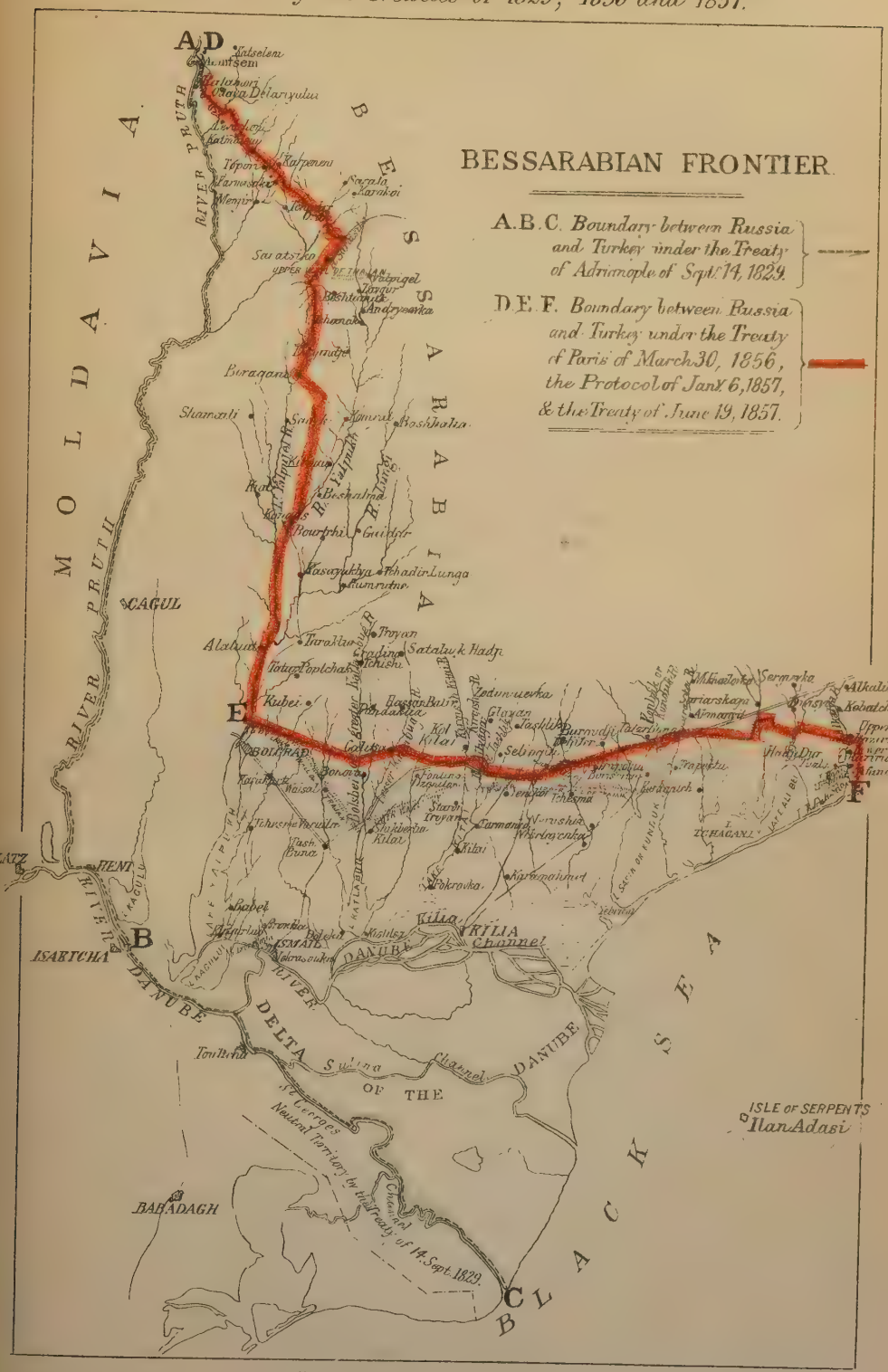
In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 19th day of June, in the year of Our Lord, 1857.

(L.S.) COWLEY.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) C. M. D'HATZFELDT.
(L.S.) CTE. DE KISSELEFF.
(L.S.) DE VILLAMARINA.
(L.S.) MEHEMMED DJEMIL.

* Ratifications exchanged at Paris, 31st December, 1857.

MAP shewing the Boundary between Russia and Turkey, as fixed by the Treaties of 1829, 1856 and 1857.



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MAP

OF THE

BESSARABIAN FRONTIER

1829, 1856, 1857.

No. 283.—*FINAL ACT of the Mixed Commission of Great Britain, Russia, and Turkey, on the Turco-Russian Boundary in Asia. Signed at Constantinople, 5th December, 1857.**

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856.
1. Detailed Description of *Asiatic* Frontier.
2. Map of Frontier.
3. Date of Execution of Final Act.
4. Ratifications.

(Translation.†)

Reference to Treaty of 30th March, 1856.

ART. XXX of the Treaty signed and concluded at Paris, 30th March, 1856 (**No. 264**), between Austria, France, Great Britain, Prussia, Russia, Sardinia, and the Ottoman Porte, having declared that His Majesty the Emperor of All the Russias, and His Majesty the Emperor of the Ottomans, shall retain in their integrity their possessions in Asia, such as they existed before the War, and that, in order to prevent all local misunderstanding, the Line of Frontier shall be verified, and if necessary rectified in such manner as that no Territorial loss shall be sustained by one or other of the two Parties, and that a Mixed Commission composed of two Russian Commissioners, two Turkish Commissioners, one French Commissioner, and one British Commissioner, shall be sent for that purpose on the spot immediately after the re-establishment of Diplomatic Relations between the Courts of Russia and the Sublime Porte.

His Majesty the Emperor of the French has appointed as his Commissioner M. Edmond Pelissier, Consul-General, &c.;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, has appointed as her Commissioner Mr. J. L. A. Simmons, Lieutenant-Colonel of Engineers, &c.;

His Majesty the Emperor of All the Russias has appointed as his Commissioners, M. Tchirikoff, Major-General, &c., and M. Michel Ivanine, Colonel, &c.;

* See also Protocol of 28th April, 1858, and Supplementary Act of 11th September, 1858.

† For French Version, see "State Papers," vol. l, p. 995.

His Majesty the Emperor of the Ottomans has appointed as his Commissioners, Hussein Pacha, General of Brigade, &c., and Osman Bey, Colonel of the Staff, &c.:

Who, having communicated to each other their Full Powers, found to be in good and due form, having examined the Territory, heard witnesses and read the Documents produced on either side on all questions in litigation, decide as follows:

ART. I. *Detailed Description of Asiatic Frontiers.*

Map of Frontier.

ART. II. The whole of the Frontier has been marked by a dotted line, tinted red on the Map, signed by all the Members of the Mixed Commission, and annexed as forming part thereof to the present Final Act of the Labours of the said Commission.

Date of Execution of Final Act.

ART. III. The Arrangements concluded by the present Act must receive their full and entire execution by the 1st December, 1858.

Ratifications.

ART. IV. The present Act shall be ratified, and the Ratifications thereof shall be exchanged within two months, and sooner if possible.

Done at Constantinople, in quadruplicate, the 5th December, 1857.

PELISSIER.
J. L. A. SIMMONS.
TCHIRIKOFF.
IVANINE.
HUSSEIN.
OSMAN.

OUTLINE MAP

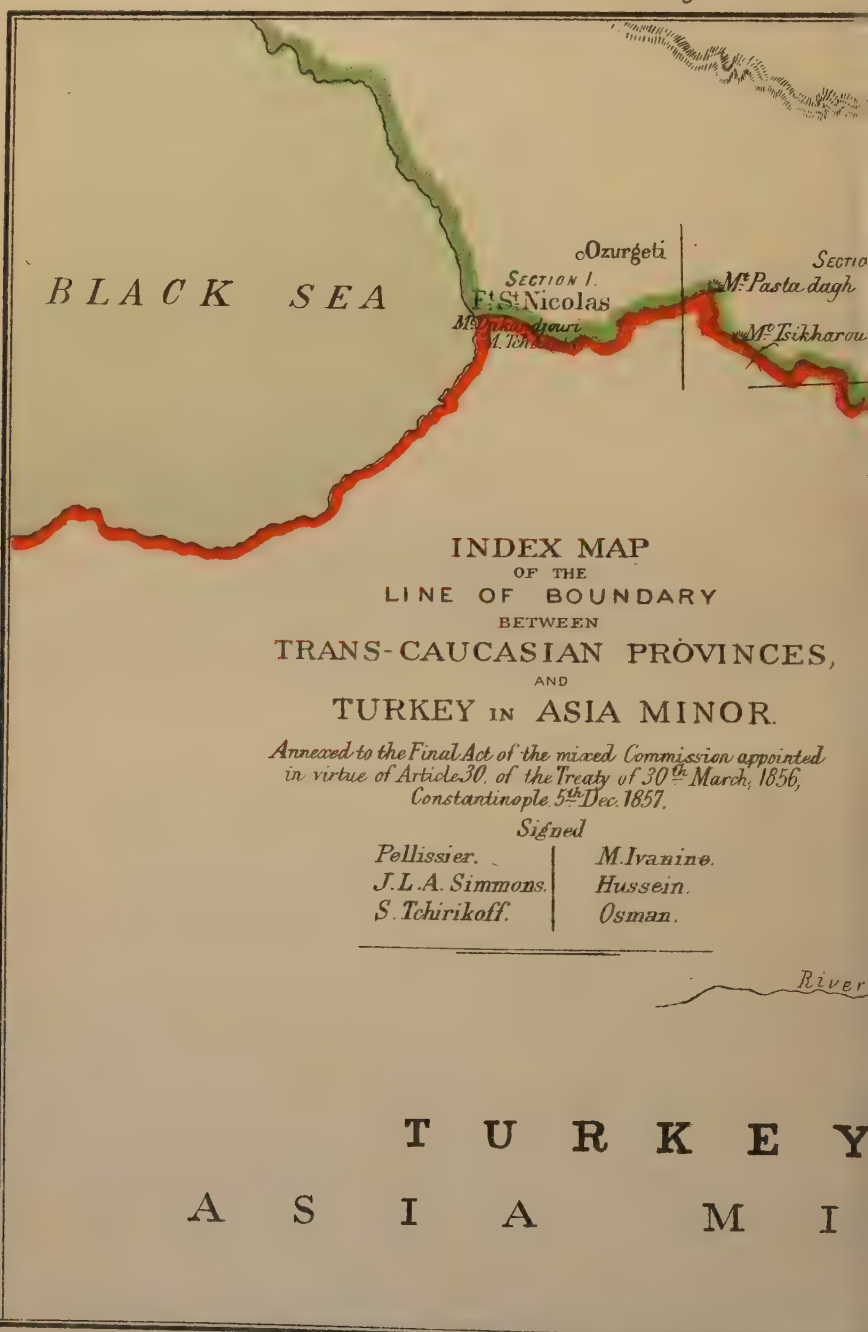
OF THE

TURCO-RUSSIAN LIMITS IN ASIA,

1857.

MAP of the Turco-Russian Limits in Asia, a

Signed at Co



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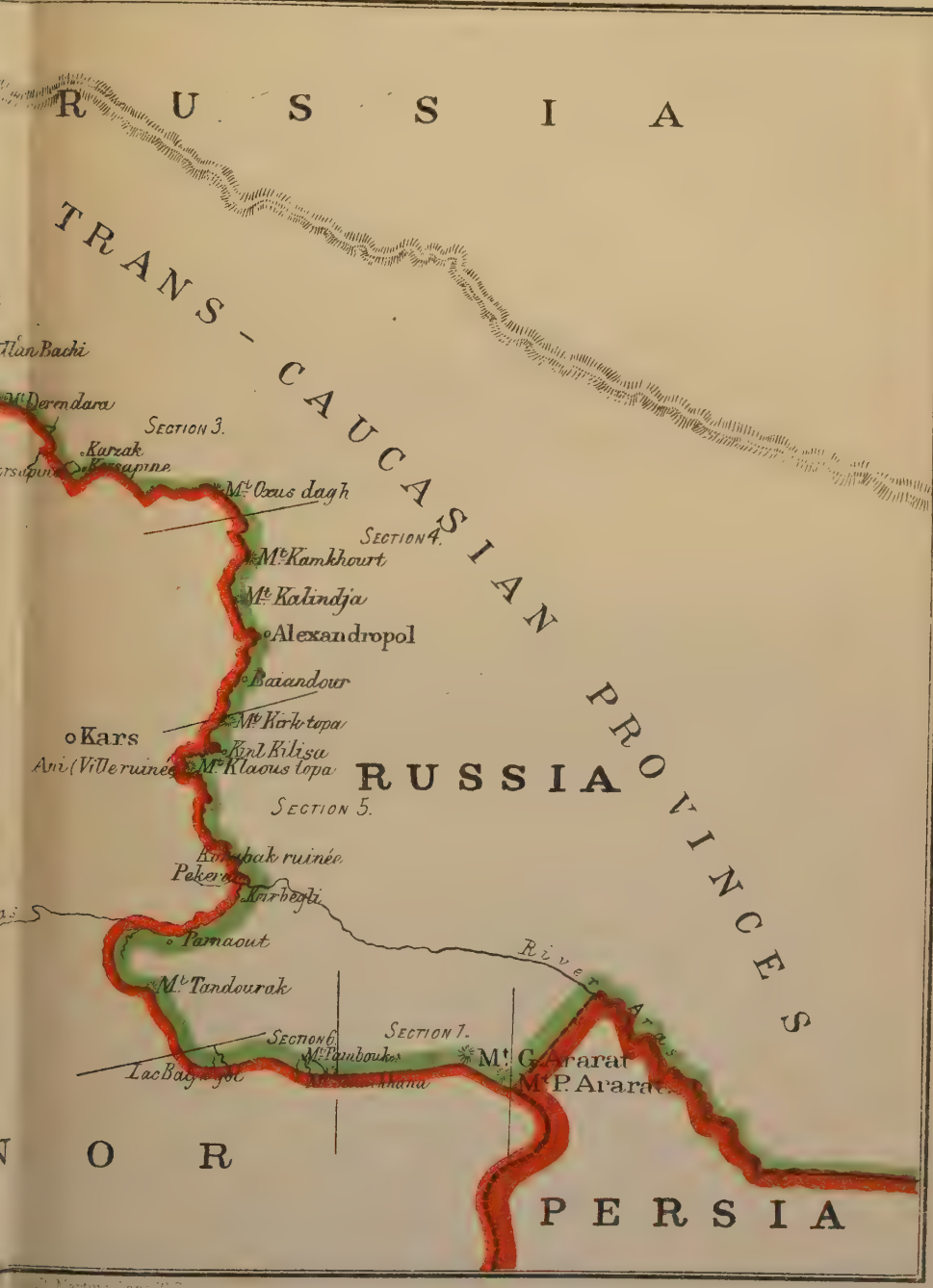
d to the Final Act of the Commissioners of the 6 Powers,
inople. 5th December, 1857.



OUTLINE MAP

OF THE

TURCO-RUSSIAN LIMITS IN ASIA,

1857.

No. 284.—*PROTOCOL between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, respecting the Turco-Russian Boundary in Asia. Signed at Paris, 28th April, 1858.**

TABLE.

Final Act and Map of *Turco-Russian* Boundary in *Asia* communicated to *Paris* Conference.
Fulfilment of Article XXX of Treaty of 30th March, 1856.
Final Act to be ratified by *Russia* and *Turkey* only.

(Translation.†)

Present: The Plenipotentiaries of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey.

Final Act and Map of Turco-Russian Boundary in Asia communicated to Paris Conference.

THE Turkish Plenipotentiary deposits his Full Powers. The Mixed Commission appointed by the Treaty of 30th March, 1856 (**No. 264**), to examine the Frontier of Russia and Turkey in Asia, having concluded their Labours, and an Act having been signed at Constantinople on the 5th December, 1857 (**No. 283**), for the purpose of recording the result, Count Kisseleff, on the part of Russia, and Haïdar Effendi, on the part of Turkey, communicate to the Conference the Original Documents of the Final Act above mentioned, as well as the Map annexed thereto, and deposit copies thereof to be added to the Acts of the Conference.

Fulfilment of Art. XXX of Treaty of 30th March, 1856.

The Conference, after having taken cognizance of those Documents, and having recognised that the Stipulations of Article XXX (**No. 264**) above referred to had been fulfilled, inform the Russian and Turkish Plenipotentiaries of such communication.

Final Act to be Ratified by Russia and Turkey only.

The Austrian Plenipotentiary expresses the hope that the Conference will be informed of the sanction which shall be given,

* See Supplementary Act of 11th September, 1858.
† For French version, see "State Papers," vol. l, p. 1000.

in due time, to the Document which the Conference has taken into consideration. The Plenipotentiaries of France, Great Britain, Russia, and Turkey inform the Conference that it has been agreed between their Governments that the Ratifications of the Act communicated and signed by their Commissioners, shall only be exchanged between Russia and Turkey.

The present Protocol having been read and approved has been signed this day, 28th April, 1858, at the Hotel of the Ministry for Foreign Affairs at Paris.

HUBNER.
WALEWSKI.
COWLEY.
HATZFELDT.
KISSILEFF.
VILLAMARINA.
HAIDAR.

No. 285.—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the Organisation of the Principalities of Moldavia and Wallachia. Paris, May—August,* 1858.*

Protocol.			"State Papers," vol. xlviii, Page
No. 1.	Opening of Conferences. Proceedings to be Secret. Union of *Principalities* of *Moldavia* and *Wallachia.*	Paris, 22nd May, 1858.	81
No. 2.	Approval of Protocol No. 1.	Paris, 26th May, 1858.	85
No. 3.	Organisation of *Principalities*.....	Paris, 5th June, 1858.	85
	Annex. Privileges and Immunities. Suzerainty of the Sultan. Hospodars. Control Committee and National Assemblies. Legislation. Finances. Army. Supreme Court of Cassation. Customs, Monetary, Postal, and Telegraphic Union		89
No. 4.	Examination of Clauses proposed by *French* Plenipotentiary. Privileges and Immunities. Suzerainty of the *Sultan.* Hospodars	Paris, 10th June, 1858.	91
No. 5.	Central Committee and National Assemblies.	Paris, 14th June, 1858.	94
No. 6.	Legislative Power	Paris, 19th June, 1858.	9
No. 7.	Duties of Central Body. Preparation of Laws, &c. Budgets. Regular Militia. Commanders-in-Chief. Union of Flags. Judicial Courts. Customs, Postal, Monetary, and Telegraphic Union. Hereditary Succession	Paris, 3rd July, 1858.	95
No. 8.	Electoral Law	Paris, 7th July, 1858.	98
No. 9.	Electoral Law. Election of Hospodars..	10th July, 1858.	98
No. 10.	Rights of Suzerain Court. Rights of *Principalities.* Rights of Guaranteeing Powers	15th July, 1858.	100
No. 11.	Treaties with Foreign Powers to be applicable to *Principalities.* Appeals to Guaranteeing Powers. Representative at Suzerain Court. Central Body to be called Central Commission	Paris, 17th July, 1858.	102
No. 12.	Annual Tribute. Deputation of Assemblies. Protected Persons, not electors or eligible..	Paris, 22nd July, 1858.	102

* For Capitulations of 1393, 1460, 1511, and 1529; and Hatti-Sheriff of 1802, see "Annuaire Diplomatique," 1866, tome ii, pp. 293—302. See also Protocols, April to June, 1856, and April to September, 1859.

[United Principalities of Moldavia and Wallachia.]

		"State Papers," vol. xlviii, Page
PROTOCOL.		
No. 13.	Hospodariate. Flags. Reforms. Dedicated Convents. Paris, 30th July, 1858.	103
	Annex. Flag.....	105
No. 14.	Examination of Project of Convention. Delivery by *Austrian* Plenipotentiary of Regulations for the Navigation of the *Danube*.....9th August, 1858.	105
	Annex I. Project of Convention.....	107
	Annex II. Electoral Stipulations.....	114
No. 15.	Election of Hospodar. Powers of Hospodar. Adoption of Articles XVII to XXV. Adoption of Art. III. Immunities and Privileges.....10th August, 1858.	116
No. 16.	Adoption of Articles XXVI to XXXIX. 12th August, 1858.	118
No. 17.	Adoption of Articles XL to LV. Adoption of Articles of Electoral Stipulations..... 14th August, 1858	119
No. 18.	Proposed Abolition of Consular Jurisdiction in *Principalities*. Regulations for the free Navigation of the *Danube*. Proposed Modifications in Articles of Treaty. 16th August, 1858.	121
No. 19.	Extension of time for Completion of Works of *European* Commission to 1st March, 1871*....19th August, 1858.	132

* Finally extended to 1st March, 1886, by the Treaty of 13th March, 1871.

No. 286.—*CONVENTION between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, respecting the United Principalities of Moldavia and Wallachia. Signed at Paris, 19th August, 1858.**

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856.
1. Suzerainty of the *Sultan* over *United Principalities* of *Moldavia* and *Wallachia*.
2. Guarantee by Contracting Powers of Privileges and Immunities of Principalities. Free Administration.
3. Public Powers confided in each Principality to a Hospodar and an Elective Assembly.
4. Executive Power.
5. Legislative Power.
6. Laws to be Prepared by Hospodar and Voted by Assembly. Laws relating to both Principalities to be Voted by the Assemblies.
7. Judicial Power.
8. Annual Tribute. Investiture of Hospodars by Sultan. Measures of Defence. Application of Treaties to Principalities.
9. Violation of Immunities to be represented by Hospodars to the Suzerain and to Guaranteeing Powers. Hospodars to be represented at Suzerain Court.
10. Election of Hospodar for Life.
11. Administration by Council of Ministers during Vacancy. Functions to be purely Administrative.
12. Election of New Hospodar.
13. Persons eligible to Hospodariate.
14. Government of Hospodar. Laws submitted to Assembly by Hospodar. Appointments made by Hospodar. Civil List of Hospodar.
15. Acts of Hospodar to be Countersigned by Ministers. Responsibility of Ministers. Trial of Ministers. Institution of Prosecutions. Majority of two-thirds necessary for Trial of Ministers.
16. Duration of Elective Assembly.
17. Convocation of Assembly. Duration of Ordinary Session. Convocation and Dissolution of Assembly by Hospodar.
18. Bishops to form part of Assembly. Presidency of Assembly.
19. Admission of Public to Sittings of Assembly. Minutes of Sittings.
20. Assembly to discuss and vote Laws.
21. Right of Ministers to Attend Assemblies and Discuss Laws.
22. Budget to be Voted by Assembly. Provision for Public Service in case Budget is not Voted.
23. Revenues to be included in Budget.
24. Definitive Statement of Accounts.

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* See also Firman of 6th December, 1861; Additional Act of 28th August, 1864; and Firman of 23rd October, 1866.

[United Principalities of Moldavia and Wallachia.]

ART. TABLE.

25. Assembly to assent to Taxes.
26. Publication of Laws.
27. Composition of Central Commission.
28. Central Commission may take part in Election of Hospodars.
29. Permanency of Central Commission. Limit to Duration of Functions. Retiring Members to continue until Election of New. Central Commission to be Renewed on Opening of New Assemblies. Re-election of Retiring Members.
30. Remuneration of Members of Central Commission.
31. Presidency of Central Commission.
32. New Organisation of *Principalities* under Protection of Central Commission. Commission to point out Abuses and suggest Amelioration.
33. Hospodars may submit Drafts of Laws to Central Commission. Central Commission to prepare Laws concerning both Principalities.
34. Laws considered of general interest to both Principalities.
35. Central Commission to Reduce the Laws to a Code. Revision of Organic Regulations, Civil, Criminal, and Commercial Codes and Code of Procedure.
36. Amendments by Assemblies to Drafts of Laws of Central Commission. Central Commission to adopt Amendments voted by both Assemblies.
37. Laws not to be sanctioned by Hospodar without approval of Central Commission.
38. Appointment of High Court of Justice and Cassation for both Assemblies. Members Irremoveable.
39. Orders of Courts and Decisions of Tribunals in Principalities to be brought before the Court in Cassation.
40. Rights of Revision and Jurisdiction of Court of Cassation.
41. Rights as a High Court of Justice in proceedings against Ministers.
42. Identic Organisation of regular Militias. Increase of Militia to be sanctioned by Suzerain Court.
43. Assembling of Militias.
44. Commander-in-Chief of Militias to be appointed alternately by each Hospodar.
45. Colours of the two Militias.
46. *Moldavians* and *Wallachians* equal in the eye of the Law. Guarantee of Individual Liberty. Deprivation of Property. Equality of Political Rights of Christians. Extension to other Religions. Abolition of Privileges and Monopolies. Development of Municipal Institutions.
47. Actual Legislation to remain in force until Revision of Laws.
48. Hatti-Sheriff to promulgate Convention.
49. Administration to be made over by *Caïmacams* to a Commission. Composition of Commissions. Commissions to prepare Electoral Lists. Election of Hospodar.
50. Ratifications.

ANNEXES.

Annex 1.—(*Flag*). See page 1345.

[United Principalities of Moldavia and Wallachia.]

Annex 2.—*Electoral Stipulations.*

ART. TABLE.

1. Composition of Elective Assembly. Metropolitan and Diocesan Bishops Members of right.
2. Electors either Primary or Direct.
3. Qualification as a Primary Elector.
4. Qualification as a Direct Elector.
5. Age of Elector. Must be a Subject by Birth or Naturalisation.
6. Persons disqualified as Electors.
7. Publication of Annual Electoral Lists. Claims of Electors.
8. Right of Elector to Claim Insertion or Removal of Individuals in Lists.
9. All Persons in Colleges Eligible.
10. Primary Electors to elect one Deputy for each District.
11. Direct Electors to elect Two Deputies.
12. Number of Deputies in Towns.
13. Electors of each Class to Assemble Separately.
14. Convocation of Electoral Colleges.
15. Voting for Deputies to be Secret.
16. Election by Majority of Votes.
17. Elections to be Verified by the Assembly.
18. Deputies elected in more than one District.
19. Vacancies.
20. Freedom of Members of Assembly from Arrest or Prosecution during Session.
21. Punishment for Fraudulent Declarations, &c.
22. Criminal Prosecutions by Electors in case of non-prosecution by Government.
23. Articles to be Annexed to Convention.

(Translation as laid before Parliament.*)

Reference to Treaty of 30th March, 1856.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of All the Russias, the King of Sardinia, and the Emperor of the Ottomans, wishing, in conformity with the stipulations of the Treaty concluded at Paris on the 30th March, 1856 (**No. 264**), to record in a Convention their Final Agreement in regard to the Definitive Organization of the Principalities of Moldavia and Wallachia, have named as their Plenipotentiaries for the purpose of negotiating and signing the said Convention, that is to say:

Her Majesty the Queen of the United Kingdom of Great

* For French Version see "State Papers," vol. xlviii, p. 70.

Britain and Ireland, the Right Honourable Henry Richard Charles, Earl Cowley, Viscount Dangan, Baron Cowley, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Privy Council, Her said Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, M. Joseph Alexander Baron de Hübner, his actual Privy Councillor, and his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the French, M. Alexandre Count Colonna Walewski, a Senator of the Empire, his Minister and Secretary of State for Foreign Affairs, &c.;

His Majesty the King of Prussia, M. Maximilian Frederick Charles Francis Count of Hatzfeldt-Wildenburg-Schœnstein, his actual Privy Councillor, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of All the Russias, the Count Paul Kisseleff, Knight of the Orders of Russia, his Aide-de-Camp General, a General of Infantry, a Member of the Council of the Empire, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the King of Sardinia, M. Salvator Marquis de Villamarina, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the Ottomans, Mohammed Fuad Pasha, Muchir and Vizier of the Empire, his Minister for Foreign Affairs, &c.;

Who have met in Conference at Paris, furnished with Full Powers which have been found in good and due form, and have agreed upon the following arrangements:

Suzerainty of Sultan over United Principalities of Moldavia and Wallachia.

ART. I. The Principalities of Moldavia and Wallachia, constituted henceforward under the denomination of *United Principalities of Moldavia and Wallachia*, are placed under the Suzerainty of His Majesty the Sultan.

Guarantee by Contracting Powers of Privileges and Immunities of Principalities.

ART. II. In virtue of the Capitulations issued by the Sultans Bajazet I, Mahomet II, Selim I, and Soliman II, which constitute

their self-government, settling their relations with the Sublime Porte, and which are recorded in various Hatti-Sheriffs, specially that of 1834 (**No. 174**); conformably also to Articles XXII and XXIII of the Treaty concluded at Paris on the 30th March, 1856 (**No. 264**), the Principalities shall continue to enjoy, under the Collective Guarantee of the Contracting Powers, the Privileges and Immunities of which they are in possession.

Free Administration.

Consequently, the Principalities shall carry on their own administration freely and exempt from any interference of the Sublime Porte, within the limits stipulated by the agreement of the Guaranteeing Powers with the Suzerain Court.

Public Powers confided in each Principality to a Hospodar and an Elective Assembly.

ART. III. The Public Powers shall be confided, in each Principality, to a Hospodar and an Elective Assembly, acting, in the cases provided for in the present Convention, with the concurrence of a Central Commission, common to both Principalities.

Executive Power.

ART. IV. The Executive Power shall be exercised by the Hospodar.

Legislative Power.

ART. V. The Legislative Power shall be exercised collectively by the Hospodar, the Assembly, and the Central Commission.

Laws to be prepared by Hospodar and voted by Assembly.

ART. VI. The Laws which specially concern each Principality shall be prepared by the Hospodar, and voted by the Assembly.

Laws relating to both Principalities to be voted by the Assembly.

The Laws which concern both Principalities in common shall be prepared by the Central Commission, and voted by the Assemblies, to which they shall be submitted by the Hospodars.

Judicial Power.

ART. VII. The Judicial Power, exercised in the name of the Hospodar, shall be confided to Magistrates appointed by him; but no person shall be withdrawn from his natural judges.

A Law shall determine the conditions of admission and promotion in the Magistracy, adopting for its basis the progressive application of the principle of irremovableness.

Annual Tribute.

ART. VIII. The Principalities shall pay to the Suzerain Court an Annual Tribute, the amount of which is fixed at the sum of 1,500,000 piastres for Moldavia, and at the sum of 2,500,000 piastres for Wallachia.

Investiture of Hospodars by Sultan.

Investiture shall be, as heretofore, conferred upon the Hospodars by His Majesty the Sultan.

Measures of Defence.

The Suzerain Court shall arrange with the Principalities the Measures for the Defence of their Territory, in case of external aggression, and it will be for that Court to initiate, by an understanding with the Guaranteeing Powers, the measures necessary for the re-establishment of order, in case it should be compromised.

Application of Treaties to Principalities.

As hitherto, the International Treaties which shall be concluded by the Suzerain Court with Foreign Powers, shall be applicable to the Principalities in all that shall not prejudice their immunities.

Violation of Immunities to be represented by Hospodars to the Suzerain and to Guaranteeing Powers.

ART. IX. In the event of a violation of the Immunities of the Principalities, the Hospodars shall address a representation to the Suzerain Power, and if their representation be not attended to, they may communicate it through their agents to the Representatives of the Guaranteeing Powers at Constantinople.

Hospodars to be represented at Suzerain Court.

The Hospodars shall be represented at the Suzerain Court by agents (*Capou-Kiaya*), who shall be native-born Moldavians or Wallachians, not holding of any foreign jurisdiction, and accepted by the Porte.

[United Principalities of Moldavia and Wallachia.]

Election of Hospodar for Life.

ART. X. The Hospodar shall be elected for life by the Assembly.

Administration by Council of Ministers during Vacancy.

ART. XI. In case of a Vacancy, and until the installation of the new Hospodar, the Administration shall devolve on the Council of Ministers, which shall enter thereupon as of full right.

Functions to be purely Administrative.

Its Functions, which are purely Administrative, shall be limited to the transaction of business, without its being competent for them to dismiss Functionaries, unless for an offence judicially proved.

In that case it shall only supply their places provisionally.

Election of new Hospodar.

ART. XII. When the Vacancy shall occur, if the Assembly is in session, it must proceed within 8 days to the Election of the Hospodar.

If it be not in session, it shall be immediately convoked, and assembled within 10 days. In case it should be dissolved, new Elections shall take place within 15 days, and the new Assembly shall also meet within 10 days. Within 8 days after its meeting, it shall be bound to have proceeded to the Election of the Hospodar.

The presence of three-fourths of the number of members inscribed shall be necessary in order to proceed to the Election.

In case the Election shall not have taken place within the 8 days, on the 9th day, at noon, the Assembly shall proceed to the Election, whatever number of members be present.

Investiture shall be applied for as heretofore; it shall be given in a month at farthest.

*Persons eligible to Hospodariate.**

ART. XIII. Every person shall be eligible to the Hospoda-

* On the 17th January, 1859, Colonel Alexander Couza, a native of Moldavia, was elected Hospodar of Moldavia, and on the 5th February following he was also elected Hospodar of Wallachia, by the Assemblies of those States respectively. This double Election gave rise to much discussion; but eventually, on the 6th September, 1859, a Protocol was signed by all the Treaty Powers, rendering valid this double Election. See also Firman of the Sultan of 6th December, 1861.

rate, who being 35 years of age, and son of a native-born Moldavian or Wallachian father, can prove himself possessed of an income of 3,000 ducats derived from real property, provided he has fulfilled public functions for the space of 10 years, or has been a member of the Assemblies.

Government of Hospodar.

ART. XIV. The Hospodar governs with the concurrence of Ministers appointed by himself. He sanctions and promulgates the Laws; he may refuse his sanction. He has the right of pardon, and that of commuting punishments in criminal matters, without the power of otherwise interposing in the administration of justice.

Laws submitted to Assembly by Hospodar.

He prepares the Laws which specially concern the Principality, and specifically the Budgets, and submits them to the deliberations of the Assembly.

Appointments made by Hospodar.

He appoints to all posts in the Public Administration, and makes the regulations necessary for the execution of the Laws.

Civil List of Hospodar.

The Civil List of each Hospodar shall be voted by the Assembly, once for all, at the time of his accession.

Acts of Hospodar to be countersigned by Ministers.

ART. XV. Every Act emanating from the Hospodar must be countersigned by the competent Ministers.

Responsibility of Ministers.

The Ministers shall be responsible for violation of the Laws, and particularly for any waste of Public Money.

Trial of Ministers.

They shall be triable by the High Court of Justice and Cassation.

Institution of Prosecutions.

Prosecutions may be instituted by the Hospodar or by the Assembly.

[United Principalities of Moldavia and Wallachia.]

Majority of two-thirds necessary for Trial of Ministers.

The prosecution of the Ministers cannot be ordered but by a majority of two-thirds of the members present.

Duration of Elective Assembly.

ART. XVI. The Elective Assembly in each Principality shall be elected for 7 years, conformably to the electoral arrangements annexed to the present Convention.

Convocation of Assembly.

ART. XVII. The Assembly shall be convoked by the Hospodar, and shall meet every year on the first Sunday in December.

Duration of ordinary Session.

The duration of each ordinary session shall be 3 months.

Convocation and Dissolution of Assembly by Hospodar.

The Hospodar may, if there be occasion, prolong the session. He may convoke the Assembly extraordinarily, or dissolve it. In this last case, he is bound to convoke a new Assembly, which shall meet within 3 months.

Bishops to form part of Assembly.

ART. XVIII. The Metropolitan and the Diocesan Bishops shall, as of full right, form part of the Assembly.

Presidency of Assembly.

The Presidency of the Assembly shall belong to the Metropolitan. The Vice-Presidents and Secretaries shall be elected by the Assembly.

Admission of Public to Sittings of Assembly.

ART. XIX. The President fixes the conditions on which the Public shall be admitted to the Sittings, save as to exceptional cases which may be provided for by internal regulations.

Minutes of Sittings.

There shall be prepared, under the direction of the President, a brief Minute of each Sitting, which shall be published in the Official Gazette.

Assembly to discuss and vote Laws.

ART. XX. The Assembly shall discuss and vote the Drafts of Laws which shall be presented to it by the Hospodar. It may amend them, subject to the reservation stipulated by Article XXXVI with regard to Laws of general interest.

Right of Ministers to attend Assemblies and discuss Laws.

ART. XXI. If the Ministers are not Members of the Assemblies, they shall nevertheless have the right to attend there, and may take part in the discussion of Laws, without, however the power of voting.

Budget to be voted by Assembly.

ART. XXII. The Budget of Income and that of Expenditure, prepared annually for each Principality, under the direction of the respective Hospodars, and submitted to the Assembly, which may amend the same, shall not be definitive until after having been voted by it.

Provision for Public Services in case Budget is not voted.

If the Budget be not voted in sufficient time, the Executive Power shall provide for the Public Services, according to the Budget of the previous year.

Revenues to be included in Budget.

ART. XXIII. The different revenues arising, up to the present time, from special sources, and which the Government appropriates on various authorities, shall be included in the general Budget of Income.

Definitive Statement of Accounts.

ART. XXIV. The Definitive Statement of Accounts shall be presented to the Assembly in two years, at latest, from the close of each financial period.

Assembly to assent to Taxes.

ART. XXV. No Tax can be established or collected unless assented to by the Assembly.

Publication of Laws.

ART. XXVI. The Laws of Finance, as well as all Laws of

common or special interest, and Regulations of Public Administration, shall be published in the Official Gazette.

Composition of Central Commission.

ART. XXVII. The Central Commission shall sit at Fockshani. It shall be composed of 16 members, 8 Moldavians and 8 Wallachians. 4 shall be chosen by each Hospodar from among the members of the Assembly, or persons who have filled high offices in the country, and 4 by each Assembly from its own body.

Central Commission may take part in Election of Hospodars.

ART. XXVIII. The members of the Central Commission retain the right to take part in the election of Hospodars in the Assembly to which they belong.

Permanency of Central Commission.

ART. XXIX. The Central Commission is permanent. It may, however, when its business permits, adjourn for a period which shall in no case exceed 4 months.

Limit to Duration of Functions.

The Duration of the Functions of its Members, for each Principality, whether appointed by the Hospodar or chosen by the Assemblies, shall be limited to the duration of the Legislature.

Retiring Members to continue until Election of New ones.

The Functions of the retiring Members shall, however, not cease until the installation of the New Members.

Central Commission to be renewed on Opening of New Assemblies.

In case the term of both Assemblies should expire at the same time, the Central Commission shall be wholly renewed for both Principalities on the opening of the New Assemblies.

In case of the Dissolution of one of the Assemblies, the renewal shall take place only in regard to those Members of the Central Commission who belong to the Principality whose Assembly is re-elected.

Re-election of Retiring Members.

The retiring Members may be re-chosen.

Remuneration of Members of Central Commission.

ART. XXX. The Functions of a Member of the Central Commission shall be remunerated.

Presidency of Central Commission.

ART. XXXI. The Central Commission shall appoint its President.

In case the Votes should be equally divided between two candidates, a decision shall be taken by lot.

The Functions of the President shall cease with his appointment as Member of the Central Commission; they may be renewed.

In case of an equal division of Votes in the deliberations, the President shall have a Casting Vote.

The Central Commission shall provide for its own internal regulation. Its expenses of every kind shall be borne, in moieties, by the two Principalities.

New Organisation of Principalities under Protection of Central Commission.

ART. XXXII. The arrangements constituting the New Organisation of the Principalities are placed under the protection of the Central Commission.

Commission to point out Abuses and suggest Ameliorations.

The Commission may point out to the Hospodars the Abuses which it may deem urgent to reform, and may suggest to them the Ameliorations which it may be expedient to introduce in the different branches of the Administration.

Hospodars may submit Drafts of Laws to Central Commission.

ART. XXXIII. The Hospodars may send before the Central Commission all the propositions which it may appear to them expedient to convert into Drafts of Laws common to the two Principalities.

Central Commission to prepare Laws concerning both Principalities.

The Central Commission shall prepare the Laws which concern both Principalities in common, and shall submit those Laws, through the Hospodars, to the deliberation of the Assemblies.

Laws considered of General Interest to both Principalities.

ART. XXXIV. All those Laws are considered of general interest which have for their object Unity of Legislation, the establishment, maintenance, or improvement of the Union of Customs, Posts, and Telegraphs, the fixing of the Monetary Standard, and the different matters of Public Utility common to the two Principalities.

Central Commission to reduce the Laws to a Code.

ART. XXXV. The Central Commission, as soon as constituted, shall especially occupy itself in reducing the existing Laws to a Code, placing them in harmony with the Act which constitutes the new organisation.

Revision of Organic Regulations, Civil, Criminal, and Commercial Codes and Code of Procedure.

It shall revise the Organic Regulations, as well as the Civil, Criminal, and Commercial Codes, and the Code of Procedure, in such wise that, saving Laws of purely local interest, there shall thenceforward exist but one and the same system of legislation, which shall rule in both Principalities, after having been voted by the respective Assemblies, and sanctioned and promulgated by each Hospodar.

Amendments by Assemblies to Drafts of Laws of Central Commission.

ART. XXXVI. If the Assemblies introduce Amendments in the Drafts of Laws of general interest, the amended Draft shall be returned to the Central Commission, which shall consider and settle a definitive Draft, which the Assemblies can then only wholly adopt or wholly reject.

Central Commission to adopt Amendments voted by both Assemblies.

The Central Commission shall be bound to adopt the Amendments which shall have been concurrently voted by both Assemblies.

Laws not to be sanctioned by Hospodar without approval of Central Commission.

ART. XXXVII. The Laws which specially concern each of the Principalities shall not be sanctioned by the Hospodar, until

after they have been communicated by him to the Central Commission, whose duty it will be to judge whether they are compatible with the arrangements which constitute the new organisation.

Appointment of High Court of Justice and Cassation for both Assemblies. Members irremovable.

ART. XXXVIII. There shall be instituted a High Court of Justice and Cassation common to both Principalities. It shall sit at Fockshani. Its constitution shall be provided for by a Law.

Its members shall be irremovable.

Orders of Courts and Decisions of Tribunals in Principalities to be brought before the Court in Cassation.

ART. XXXIX. The orders issued by the Courts, and the decisions pronounced by the Tribunals, in both Principalities, shall be brought exclusively before this Court in Cassation.

Rights of Revision and Jurisdiction of Court of Cassation.

ART. XL. It shall exercise a right of Revision and Control over the Courts of Appeal and the Tribunals.

It shall have the right of exclusive Jurisdiction over its own members in penal matters.

Rights as a High Court of Justice in Proceedings against Ministers.

ART. XLI. As a High Court of Justice, it shall have cognisance of Proceedings which may have been instituted against the Ministers by the Hospodar or by the Assembly, and shall decide without appeal.

Identic Organisation of Regular Militias. Increase of Militia to be sanctioned by Suzerain Court.

ART. XLII. The regular Militias at present existing in the two Principalities shall receive an identic organisation, in order that they may, when necessary, unite and form a single Army.

The arrangements for this purpose shall be made by a common Law.

There shall, moreover, be an annual inspection of the Militia of the two Principalities by Inspectors-General, named every year by each Hospodar alternately. Those Inspectors shall be charged to see to the entire execution of the arrangements de-

signed to ensure to the Militia all the characters of two corps of one and the same Army.

The number of regular Militia, as fixed by the organic regulations, cannot be augmented by more than one-third, without previous understanding with the Suzerain Court.

Assembling of Militias.

ART. XLIII. The Militias shall be assembled whenever the safety of the interior or of the Frontiers may be threatened. The assembling may be demanded by either Hospodar, but it cannot take place unless by their common agreement, and notice thereof shall be given to the Suzerain Court.

On the proposition of the Inspectors, the Hospodars may also assemble the Militias, wholly or partly, in camp for manœuvring, or for the purpose of being reviewed.

Commander-in-Chief of Militias to be appointed alternately by each Hospodar.

ART. XLIV. The Commander-in-Chief shall be appointed alternately by each Hospodar, when there shall be occasion to assemble the Militias. He must be a Moldavian or Wallachian by birth. He may be superseded by the Hospodar who appointed him. In each case the new Commander-in-Chief shall be appointed by the other Hospodar.

*Colours of the two Militias.**

ART. XLV. The two Militias shall retain their actual Colours but those Colours shall in future bear a blue pennon, conformable to the Drawing annexed to the present Convention.

Moldavians and Wallachians equal in the eye of the Law.

ART. XLVI. All Moldavians and Wallachians shall be equal in the eye of the Law, and with regard to taxation, and shall be equally admissible to public employments, in both Principalities.

Guarantee of Individual Liberty.

Their individual liberty shall be guaranteed. No one can be detained, arrested, or prosecuted, but in conformity with the Law.

Deprivation of Property.

No one can be deprived of his property unless legally, for causes of public interest, and on payment of indemnification.

* See Annex 1, page 1345.

[United Principalities of Moldavia and Wallachia.]

Equality of Political Rights of Christians. Extension to other Religions.

Moldavians and Wallachians of all Christian confessions shall equally enjoy Political Rights. The enjoyment of those Rights may be extended to other Religions by legislative arrangements.

Abolition of Privileges and Monopolies.

All Privileges, Exemptions, or Monopolies, which are yet enjoyed by certain classes, shall be abolished; and there shall, without delay, be undertaken a revision of the Law which regulates the relations of the owners of the soil with the cultivators, with a view to improve the condition of the peasants.

Development of Municipal Institutions.

The Municipal Institutions, as well in town as in country, shall receive all the developments which the stipulations of the present Convention will admit of.

Actual Legislation to remain in force until Revision of Laws.

ART. XLVII. Until such time as the Revision contemplated by Article XXXV shall have been accomplished, the legislation actually in force in the Principalities is maintained in regard to those arrangements which are not at variance with the stipulations of the present Convention.

Hatti-Sheriff to promulgate Convention.

ART. XLVIII. In order to fulfil Article XXV of the Treaty of the 30th of March, 1856 (**No. 264**), a Hatti-Sheriff, in exact accordance with the stipulations of the present Convention, shall promulgate the preceding arrangements, within the space of 15 days at latest, after the exchange of the Ratifications.

Administration to be made over by Caimacams to a Commission.

ART. XLIX. At the time of the publication of the said Hatti-Sheriff, the Administration shall be made over by the present Caimacams, in each Principality, to a Commission *ad interim* (*Caimacamie*), constituted in conformity with the arrangements of the organic regulation.

Composition of Commissions.

Those Commissions shall, consequently, be composed of the President of the Princely Divan, the Grand Logothete, and the

Minister of the Interior, who were in office under the last Hospodars before the installation of the provisional Administrations in 1856.

Commissions to prepare Electoral Lists. Election of Hospodar.

The said Commissions shall immediately proceed with the preparation of the Electoral Lists, which shall be completed and published within the period of 5 weeks. The Elections shall take place 3 weeks after the publication of the Lists. On the tenth day following, the Deputies shall assemble, in each Principality, in order to proceed to the Election of the Hospodars within the periods hereinbefore prescribed.

*Ratifications.**

ART. L. The present Convention shall be ratified, and the Ratifications shall be exchanged at Paris in 5 weeks, or sooner if possible.

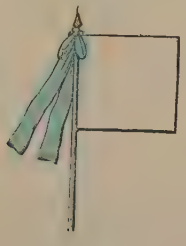
In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 19th of August, 1858.

(L.S.) COWLEY.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) C. M. D'HATZFELDT.
(L.S.) CTE. DE KISSELEFF.
(L.S.) DE VILLAMARINA.
(L.S.) FUAD.

Annex 1 (*in conformity with Article XLV*).

(*The Flag.*)



* Ratifications exchanged at Paris, 2nd October, 1858.

[United Principalities of Moldavia and Wallachia.]

*Annex 2.—Electoral Stipulations.**

Composition of Elective Assembly. Metropolitan and Diocesan Bishops. Members of Right.

ART. I. The Elective Assembly is composed, in each Principality, of members elected by districts and by towns. The Metropolitan and the Diocesan Bishops are Members thereof as of full right.

Electors either Primary or Direct.

ART. II. The Electors are either Primary or Direct.

Qualification as a Primary Elector.

ART. III. Any person is a Primary Elector who can prove himself possessed of an income of 100 ducats at least, derived from real property.

Qualification as a Direct Elector.

ART. IV. Any person is a Direct Elector:

In the districts, who can prove himself possessed of an income of 1,000 ducats at least, derived from real property.

In the towns, who can prove himself possessed of a capital in real, industrial, or commercial property, of 6,000 ducats at least, belonging to him absolutely or by marriage.

Age of Elector. Must be a Subject by Birth or Naturalisation.

ART. V. No person can be an Elector unless he has completed his 25th year, and is a Moldavian or Wallachian by Birth or Naturalisation.

Persons Disqualified as Electors.

ART. VI. The following persons cannot be Electors:—

1. Individuals who hold of a foreign jurisdiction.
2. Those who are under an interdict.
3. Bankrupts not rehabilitated.
4. Those who shall have been condemned to corporal and degrading punishments, or to degrading punishments only.

Publication of Annual Electoral Lists.

ART. VII. The Electoral Lists are prepared annually in each district, under the direction of the Administration. They shall

* See Note, page 1335.

be published and exhibited on the first Sunday of January, wherever necessary.

Claims of Electors.

Claims shall be made before the Administration during the 3 weeks subsequent to the publication of the Lists. The Claimants may have recourse to the tribunal of the district, which shall decide immediately and without appeal.

Right of Elector to claim Insertion or Removal of Individuals in Lists.

ART. VIII. Any Elector may claim the Insertion or the Removal of any Individual omitted or unduly inserted in the List on which he is himself inscribed.

All persons in Colleges eligible.

ART. IX. Any person is eligible, without distinction, in all the Colleges, who being a Moldavian or Wallachian by birth or naturalisation, shall have completed his 30th year, and can prove himself possessed of an income of 400 ducats at least.

Primary Electors to elect one Deputy for each District.

ART. X. The Primary Electors, in the Districts, name in each respective arrondissement (under Administration) 3 Electors, who, assembling at the chief place of the District, shall elect One Deputy for each District.

Direct Electors to elect Two Deputies.

ART. XI. The Direct Electors, in the Districts, shall elect Two Deputies for each District.

Number of Deputies in Towns.

ART. XII. In the Town, the Direct Electors shall elect:—
At Bucharest and Jassy, 3 Deputies.
At Craïova, Ploïesti, Ibraïla, Galatz, and Ismaïl, Two Deputies.
In the other towns, chief places of districts, One Deputy.

Electors of each Class to assemble separately.

ART. XIII. The Electors of each Class shall assemble separately, in special Colleges, in order to proceed to their respective operations.

Convocation of Electoral Colleges.

ART. XIV. The Electoral Colleges shall be convoked by the Executive Power 3 weeks at least before the day fixed for the Election.

Voting for Deputies to be Secret.

ART. XV. The Voting for the election of Deputies is Secret.

Election by Majority of Votes.

ART. XVI. The Election is decided by the Majority of Votes recorded.

If no one of the candidates shall have obtained the majority, recourse shall be had to a second voting, and the candidate who shall obtain the greatest number of votes shall be elected.

Elections to be verified by the Assembly.

ART. XVII. The Electoral Operations are verified by the Assembly, which alone is the judge of their validity.

Deputies Elected in more than One District.

ART. XVIII. Any Deputy elected in more than One electoral District shall declare his option to the President of the Assembly within 10 days after the declaration of the Validity of the Election.

If he should not declare his option within that time, the matter shall be decided by lot.

Vacancies.

ART. XIX. In case of a Vacancy by option, death, resignation, or otherwise, the Electoral College which is to supply the vacancy, shall assemble within 3 months.

Freedom of Members of Assembly from Arrest or Prosecution during Session.

ART. XX. No Member of the Assembly can, during the session, be arrested or prosecuted in penal matters, except when taken in the fact, until after the Assembly shall have authorised the prosecution.

Punishment for Fraudulent Declarations, &c.

ART. XXI. Any person who shall have got himself inscribed upon the Electoral Lists, by means of Fraudulent Declarations, or

by concealing any of the defined incapacities, or who shall have claimed and obtained inscription on more than one list, or who shall have voted, although not inscribed, or deprived of the electoral right, shall be punished by a fine of 100 ducats at least, or 1,000 ducats at most, or by an imprisonment of 8 days at least, or 3 months at most.

Criminal Prosecutions by Electors in case of Non-prosecution by Government.

ART. XXII. In default of action on the part of the Government Functionaries, 10 Electors assembled shall have the right to institute a Criminal Prosecution: 1. Against any individual who, during the electoral operations, shall have withdrawn, added to, or tampered with the bulletins. 2. Against any person who shall have disturbed the electoral operations, and interfered with the freedom of election, by fraudulent manœuvres, violence, or menaces.

Articles to be annexed to Convention.

ART. XXIII. As the electoral stipulations composing the preceding 22 Articles are to be annexed to the Convention of this date, the 19th August, in conformity with Article XVI of the said Convention, the respective Plenipotentiaries have also signed the present Act, which contains the same, and have sealed it with their Arms.

Paris, the 19th August, 1858.

(L.S.) COWLEY.
(L.S.) HUBNER.
(L.S.) A. WALEWSKI.
(L.S.) C. M. D'HATZFELDT.
(L.S.) CTE. DE KISSELEFF.
(L.S.) DE VILLAMARINA.
(L.S.) FUAD.

No. 287.—*SUPPLEMENTARY ACT, relative to the Turco-Russian Boundary in Asia. Signed at Hadji-Baïram,* $\frac{30 \text{ August,}}{11 \text{ September,}}$ 1858.

[Concluded in the presence of M. Melik-Agamaloff, Chief of the Russian District of Erivan, and of M. Halid Effendi, Chief of the Turkish District of Kagizman.]

TABLE.

Families of *Djerikli* and *Hussein-Kent* electing to pass over to *Turkish* Dominions.
Russian objections.
Inhabitants of villages of *Djerikli* and *Hussein-Kent* to pass over to *Turkish* Dominions.
Djelil-Bey-bin-Abbas to remain a *Russian* subject.
Russian objections to form subject of Special Negotiations.
Right of Inhabitants of *Hadji-Baïram* to grow Crops on *Turkish* side of *Arpa-Tchaï.*

(Translation.)

Families of Djerikli and Hussein-Kent, electing to pass over to Turkish Dominions.

THE Boundary Commission, assembled at the village of Hussein-Kent for the purpose of carrying out the instructions of the Commission of 1857 (**No. 283**), convoke to that place the Chief of the Russian District of Erivan, the Mudir of the Turkish District of Kagizman, and the fathers of families of Djerikli and of Hussein Kent.

These, being invited to declare to the Boundary Commissioners, on behalf of their families, whether they desired to pass henceforth, with their lands, under the Turkish dominion, or whether they would remain personally under the Russian dominion, reply severally as follows, that is to say :—

DJERIKLI.

1. Medjidin-bin-Hadji Mehmet....	Chief of village..	Desires to remain in Turkey.
2. Allah-Vera-bin-Nazour	Peasant	Ditto
3. Abdullah-bin-Djaffar	Ditto	Ditto
4. Taugri-Verdi-bin-Ali	Ditto	Ditto
5. Mustapha-bin-Navrous	Ditto	Ditto

[Turco-Russian Boundary in Asia.]

HUSSEIN-KENT.

6. Abdullah-bin-Hussein	Chief of village..	Desires to remain in Turkey.
7. Kassin-bin-Bounjet Ali	Peasant	Ditto
8. Ali-Asker-bin-Hussein	Ditto	Ditto
9. Tahi-bin-Daoud	Ditto	Ditto
10. Allah-Verdi-bin Nathal	Ditto	Ditto
11. Veli-bin-Mechty	Ditto	Ditto
12. Ali-bin-Veli	Ditto	Ditto
13. Kourban-bin-Niazkoulou	Ditto	Ditto
14. Djelil-Bey-bin-Abbas	Proprietor of the village of Hussein-Kent	Desires to remain in Russia.

Russian Objections.

M. Melik Agamaloff, Chief of the Russian District of Erivan, objects to the above-mentioned Ali and Kourban, indicated by Nos. 12 and 13, being allowed to pass freely over to Turkey; he maintains that they belong, according to the Official Registers, to the village of Akh-Tasch in the district of Sourmalinsk, and that they have only lived in the village of Hussein-Kent since the year 1856; and further, that the chief of that village has received several official orders to send them back to Akh-Tasch.

These documents are reproduced and restored by the Commission of Demarcation to M. Agamaloff.

The Boundary Commission decree—

Inhabitants of Villages of Djerikli and Hussein-Kent to pass over to Turkish Dominion.

1. That the Inhabitants of the villages of Djerikli and Hussein-Kent shall pass, in accordance with their wishes, together with their lands, under the Turkish dominion.

Djelil-Bey-bin-Abbas to remain a Russian Subject.

2. That the Proprietor Djelil-Bey-bin-Abbas shall remain, in accordance with his wish, a Russian subject, with the right to withdraw his personal property before the $\frac{19\text{th November}}{1\text{st December}}$ next.

Russian Objections to form subject of Special Negotiations.

3. That the above-named Ali and Kourban have the right to remain with their families in the village of Hussein-Kent until the local authorities, Russian and Turkish, shall decide, by means

of special negotiations, to which of the two Powers, Turkish or Russian, they shall be subject.

Right of Inhabitants of Hadji-Baïram to grow Crops on Turkish side of Arpa-Tchaï.

4. That the Inhabitants of the village of Hadji-Baïram shall have the right (without any obstacle or tax whatsoever on the part of the Turkish or Russian Authorities), to grow their crops which are situated on the Turkish side of Arpa-Tchaï until the $\frac{\text{19th November}}{\text{1st December}}$ of the present year of 1858.

Hadji-Baïram, $\frac{\text{30th August,}}{\text{11th September,}}$ 1858.

EDWARD R. JAMES
JEAN EFIMOVSKY
SULEIMAN EFFENDI
} Boundary Commissioners.

No. 288.—*PROCES-VERBAL between the Representatives of Great Britain, Austria, France, Prussia, Russia, and Turkey, for the Settlement of the Frontiers of Albania, the Herzegovine, and Montenegro.* Signed at Constantinople, 8th November,* 1858.

(Translation.†)

A MEETING having been held between the Grand Vizier, the Minister for Foreign Affairs of the Sublime Porte, and the President of the Council of the Tanzimat, duly authorised by the Sultan on the one part, and the Representatives of Austria, France, Great Britain, Prussia, and Russia, also furnished with instructions to that effect by their respective Governments, on the other part, the labours of the local Commission charged to report the *statu quo* of the Frontiers of Albania, Herzegovine, and Montenegro, such as they existed in the month of March, 1856 (**No. 268**), were taken into consideration.

After examination, it has been decided that the Frontiers in question should be determined in conformity with the line traced in red (*minium*) on the Map annexed to the present Procès-Verbal as signed by the Members of the Meeting. A copy legalised by the Minister for Foreign Affairs of the Sublime Porte shall be delivered to each Representative.

It is agreed that a Boundary Commission of Engineers, the composition of which shall be discussed by the Governments of the High Powers represented at the said Meeting, shall proceed to the Frontier next Spring to assist in placing the Posts which are to fix the Limits of Albania, Herzegovine, and Montenegro, by strictly following the line traced on the annexed Map. That Commission may, nevertheless, when it shall consider it necessary, consult the old inhabitants of the Country and take into consideration the land-slips in order to give all the necessary precision to the line of Frontiers; it must particularly have recourse to that method in order to determine the Limits between the Upper Wassawitch and the Lower Wassawitch and the Kolaschines, pointed out by dots on the Map.

* See also Protocols of 17th April, 1860, 31st August, 1862, 3rd May, 1864, and 26th October, 1866.

† For French version, see "State Papers," vol. l, p. 1001.

[Frontiers of Albania, the Herzegovine, and Montenegro.]

It is well understood that the Demarcation shall in no way interfere with the Private Property possessed on either side of the Frontiers, either by Individuals or by Villages. The differences which may arise on the subject, and which could not be settled by the parties interested according to the usage of the locality, shall be examined and adjudged as a last resort by the Commission charged with fixing the Posts, whether the actual Proprietors shall prefer to continue in possession of their Lands and of their Rights, by submitting within a fixed period, to all the Taxes, and to all the Charges, in the same manner as the other Inhabitants of the locality, or by alienating their Lands and their Rights against an Indemnity equitably adjudged by the said Commission.

Done at Constantinople, $\frac{\text{27th October,}}{\text{8th November,}}$ 1858.

AALI.
FUAD.
MEHEMED RUCHDI.
LUDOLPH.
THOUVENEL.
H. L. BULWER.
LICHMANN.
BOUTENEFF.

MAP
OF THE
MONTENEGRIN FRONTIER
1858. 1860.

MAP OF
MONTENEGRO.

As laid down by the Commissioners of Austria, France, Great Britain, Prussia and Russia and the Delegate of Montenegro in 1860, in conformity with the Procès-Verbal signed at Constantinople 8th November, 1858.

1/200,000.

Scale of English Chains of 100 feet.

0 100 200 300 400 500 600 700 800 900 1000 1100

Harrison &

VASSOEVITCHS INFERIEURS
VASSOEVITCHS SUPERIEURS
Krividol
Bjelasica
Siska Yezero
Melaja
Mušovica
KOLACHIN
Yablanovvrh
Rujavikrs
Vrk Yassena
Vardu
Crna Planina
Piperska Planina
Djebeza
Silievik M.t
BRATONOSNITCHI
DREKALOVITCHI
KOUTCHI
PIPERI
BIELOPAWLITCHI
Kupusti
Moromicka glavica
Brestica
Dukle
Maladuquska
Ribnitka R.
Podgorica
Srebrenaglavica
Banova Gomila
Crkavnica
Liekie
Liekicka Strana
Veliki Vrk
Zahlajk
Dodos
LAC DE SCUTARI
Cahovica
Granjina
Skudarsko Yezero
Iessandra
Gremuzour I.
Ricka
Cettigne
Vir Bazar
Godinji
Arvar
TSERNITSA
Sutturman
Presieka
ANTIVARI
Antivari
MONTENEGRO
ALBANIA
MER ADRIATIQUE

MAP
OF THE
MONTENEGRIN FRONTIER
1858. 1860.

[Boundaries.]

No. 289.—*BOUNDARY CONVENTION between France and Spain, additional to the Treaty of 2nd December, 1856. Signed at Bayonne, 28th December, 1858.*

ANNEX TABLE.

Preamble. Reference to Treaty of 2nd December, 1856.
1. Payment of the Rental for the Perpetual Lease in the northern declivity of the *Pays-Quint*.
2. Pasturage of Cattle on the southern declivity of the *Pays-Quint*.
3. Rights and Obligations on both Borders maintained by the Treaty.
4. Regulations for the Seizure of Cattle.
5. *Procès-verbal* of Landmarks delineating the Boundary.
Ratifications.

(Translation.*)

Reference to Treaty of 2nd December, 1856.

HIS Majesty the Emperor of the French and Her Majesty the Queen of Spain, wishing to settle in a definitive manner the execution of the Boundary Treaty concluded at Bayonne, on the 2nd December, 1856 (**No. 275**), between France and Spain, have appointed for that purpose, as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, the Sieur Charles Victor Lobstein, Minister Plenipotentiary, &c.; and the Sieur Camille Antoine Callier, General of Brigade, &c.;

And Her Majesty the Queen of Spain, Don Francisco Maria Marin, Minister Plenipotentiary, &c.; and Don Manuel Monteverde y Bethancourt, Marshal of the National Armies, &c.;

Who, after having communicated to each other their respective Full Powers, found to be in good and due form, have drawn up the following five Annexes to the above-named Treaty:

ANNEXES I to V. (See Table.)

Ratifications.

The preceding Annexes, which shall have the same force and effect as if they had been inserted in the Boundary Treaty of the 2nd December, 1856 (**No. 275**), shall be ratified, and the Ratifications thereof shall be exchanged at Paris within one month, or sooner if possible.

In testimony whereof, the respective Plenipotentiaries have signed them, and have affixed thereto the Seal of their Arms.

(L.S.) LOBSTEIN.
(L.S.) GENERAL CALLIER.
(L.S.) FRANCISCO MA. MARIN.
(L.S.) MANUEL MONTEVERDE.

* For French version, see "State Papers," vol. xlix, p. 412.

No. 290.—*DECLARATION by the Swiss Government of Policy in the event of War between Austria and Italy. Berne, 14th March,* 1859.

(Translation as laid before Parliament.*)

Intention to Maintain and Defend its Neutrality.

ALTHOUGH the States of Europe, at the present time, enjoy fully the benefits of Peace, it cannot be disguised that confidence in the stability of this state of things has undergone a shock, and that there exist motives for admitting that the general tranquillity may be troubled by the possibility of grave events. In such a conjuncture, Switzerland owes it to her dignity, to her character as an Independent and Free State, as well as to her political constitution and her organisation, to pronounce herself in time, and without evasion, as to the attitude which she proposes to observe with regard to certain eventualities, according to the position which is given her by her situation, her history, her internal wants, and her relations with foreign States.

The Federal Council, therefore, declares in the most formal manner, that, if the Peace of Europe should be disturbed, the Swiss Confederation will defend and maintain, by all means at her disposal, the Integrity and Neutrality of its Territory, to which she has a right in her character as an Independent State, and which has been solemnly recognised and guaranteed to her by the European Treaties of 1815. She will loyally accomplish this mission equally towards all.

The Treaties of 1815 declare, besides, that certain portions of the Territory of Savoy, which form an integral part of the States of His Majesty the King of Sardinia, are comprised in the Swiss Neutrality.

It results, in effect, from these Treaties, that is, the Declaration of the High Powers of the 20th March, 1815 (**No. 9**); the Act of Accession of the Swiss Diet of the 12th August (27th May), 1815 (**No. 20**); the Final Act of the Congress of Vienna of the 9th June, 1815 (Article XCII) (**No. 27**); the Peace of 20th November, 1815 (Article III) (**No. 40**); and the Act of the same day, recognising and guaranteeing the perpetual Neutrality of Switzerland and the Inviolability of her Territory (**No. 43**); that the

* For French version, see "State Papers," vol. lvii, p. 178.

parts of Savoy designated in these Acts are entitled to the benefit of the same Neutrality as Switzerland, with the special clause "that every time that the Powers bordering on Switzerland shall find themselves in a state of open and imminent hostility, the troops of His Majesty the King of Sardinia, which may find themselves in the Neutral Provinces, shall retire, and will, for that purpose, be enabled to pass by the Valais, if it should become necessary; that no other armed troops, of whatever Power, will be allowed to station themselves there, or to traverse them, with the exception of those which the Swiss Confederation would think proper to place there."

The before-mentioned dispositions of the general Treaties have been expressly confirmed, in all points, by the special Treaty which was concluded the 16th of March, 1816 (**No. 52**), between the Confederation and His Majesty the King of Sardinia. If henceforth circumstances should require it, and in as far as the measure shall be necessary to secure and defend the Neutrality and Integrity of its Territory, the Swiss Confederation will make use of the right which has been conferred on it by the European Treaties to occupy the Neutral Parts of Savoy; but it is well understood that if the Confederation has recourse to this measure, it will respect scrupulously, and in all its bearings, the stipulations of the Treaties; and, amongst others, that which says that the Swiss Military Occupation will not cause any prejudice to the administration established by His Sardinian Majesty in the said Provinces. The Federal Council declares that it will endeavour to come to an understanding with the Government of His Majesty the King of Sardinia, with regard to the special conditions of such an occupation.

Finally, the Federal Council entertains the hope that these Declarations, which are as frank as they are loyal, will be favourably received, and that the High Powers will know fully how to appreciate the position in which it has thought it to be its duty to place itself in the actual political situation and in anticipation of eventualities which may arise.

He seizes the opportunity, &c.

In the name of the Federal Swiss Council,
The President of the Confederation,
STAEMPFLI.

[For French Reply, see next page.]

[Neutrality of Switzerland and Part of Savoy.]

To the Swiss Declaration of the 14th March, 1859 (page 1356), the French Government returned the following reply:—

(Translation as laid before Parliament.)

"In acknowledging the receipt of the communication which has been made to him, the Minister declares that he renders entire justice to the sentiments which have inspired this measure, and he cherishes the hope that the dispositions of the other Powers not being less favourable than those of the Government of His Majesty the Emperor, in regard to, respect for, and the maintenance of, Swiss Neutrality, the Public Law which consecrates it cannot in any case run any danger."

Passage of French Troops through the Neutralised portion of Savoy.

On the 28th April, 1859, the British Government drew the attention of the French Government to the fact, that some portion of the force dispatched by France to the succour of Sardinia had been moved through Culoz, and over the Mont Cenis, and that this line of march had thus been through a portion of Savoy, the Neutrality of which, under similar circumstances, was distinctly provided for by the Treaties and other Acts of 1815, and specifically by the Act of 20th November, 1815" (**No. 43**), and, it added, that although it appeared that the Swiss Government did not propose to offer any objection thereto, that nevertheless the British Government felt it to be their duty to place on record that the march of the French Troops through that District had been effected contrary to the Treaty engagements to which France, in common with other Powers, was a party.

To this communication Count Walewski replied (29th April, 1859) as follows:—"We do not think that the Territory of Savoy which is traversed by the Railway, is comprised in the portion of Savoy which participates in the Neutrality of Switzerland. I think I can assure you that the Swiss Government is of the same opinion as ourselves on this subject. It results, on the other hand, from diplomatic Acts, that the application of the principle of Neutrality to the country north of Ugive, ought to be concerted between Sardinia and Switzerland, whose troops would have to occupy the Neutralised Territory."

Lord Cowley, Her Majesty's Ambassador at Paris, however, reported (1st May, 1859) that the passage of Troops had been stopped by the French Government.

No. 291.—*AUSTRIAN ULTIMATUM calling upon the Italian Government to Disarm, and demanding an Answer within 3 Days. Vienna, 19th April, 1859.**

(Translation as laid before Parliament.)

The Imperial Government, as your Excellency is aware, has hastened to accede to the proposal of the Cabinet of St. Petersburg to assemble a Congress of the 5 Powers with the view to remove the complications which have arisen in Italy.

Convinced, however, of the impossibility to enter, with any chance of success, upon pacific deliberations in the midst of the noise of arms, and of preparations for War carried on in a neighbouring Country, we have demanded the placing on a Peace Footing of the Sardinian Army, and the disbanding of the Free Corps, or Italian Volunteers, previously to the meeting of the Congress.

Her Britannic Majesty's Government finds this condition so just, and so consonant with the exigencies of the situation, that it did not hesitate to adopt it, at the same time declaring itself to be ready, in conjunction with France, to insist on the immediate disarmament of Sardinia, and to offer her in return a Collective Guarantee against any attack on our part, to which, of course, Austria would have done honour.

The Cabinet of Turin seems only to have answered, by a categorical refusal to the invitation to put her Army on a Peace Footing, and to accept the Collective Guarantee which was offered her. This refusal inspires us with regrets, so much the more deep, that if the Sardinian Government had consented to the testimony of pacific sentiments which was demanded of her, we should have accepted it as a first symptom of her intention to assist, on her side, in bringing about an improvement in the relations between the two countries which have unfortunately been in such a state of tension for some years past. In that case it would have been permitted us to furnish, by the breaking up of the Imperial troops stationed in the Lombardo-Venetian kingdom, another proof that

* This Ultimatum was received by Sardinia on the 23rd April, 1859.

they were not assembled for the purpose of aggression against Sardinia.

Our hope having been hitherto deceived, the Emperor, my august master, has ordered me to make directly a last effort to cause the Sardinian Government to reconsider the decision which it seems to have resolved on. Such is the object of this letter.

I have the honour to entreat your Excellency to take its contents into your most serious consideration, and to let me know if the Royal Government consents, yes or no, to put its Army on a Peace Footing without delay, and to disband the Italian Volunteers.

The bearer of this letter, to whom, M. le Comte, you will be so good as to give your answer, is ordered to hold himself at your disposition to this effect for 3 days.

Should he receive no answer at the expiration of this term, or should this answer not be completely satisfactory, the responsibility of the grave events which this refusal would entail would fall entirely on His Sardinian Majesty's Government.

After having exhausted in vain all conciliatory means to procure for these populations the guarantee of Peace, on which the Emperor has a righ to insist, His Majesty will be obliged, to his great regret, to have recourse to the force of Arms to obtain it.

In the hope that the answer which I solicit of your Excellency will be congenial to our wishes for the maintenance of Peace, I seize, &c.,

C. Cavour. BUOL.

No. 292.—*SARDINIAN REPLY to the Austrian Ultimatum. 26th April*, 1859.*

(Translation as laid before Parliament.)

The question of the Disarmament of Sardinia, which constitutes the basis of the demand which your Excellency addresses to me, has been the subject of numerous negotiations between the Great Powers and the Government of the King. These negotiations led to a proposition drawn up by England, to which France, Prussia, and Russia adhered. Sardinia, in a spirit of conciliation, accepted it without reserve or afterthought. Since your Excellency can neither be ignorant either of the proposition of England nor the answer, I could add nothing in order to make known the intentions of the Government of the King with regard to the difficulties which were opposed to the assembling of the Congress.

The decided conduct of Sardinia has been appreciated by Europe. Whatever may be the consequences which it entails, the King, my august master, is convinced that the responsibility will devolve upon them who first armed, who have refused the propositions made by a great Power, and recognised as just and reasonable by the others, and who now substitute a menacing summons in its stead.

* An Austrian Army crossed the Ticino on the same day (26th April), and entered Sardinian Territory.

No. 293.—*AUSTRIAN MANIFESTO and DECLARATION OF WAR against Sardinia. Vienna, 28th April,* 1859.

(Translation as laid before Parliament.)

To my People.

I have ordered my faithful and gallant Army to put a stop to the inimical acts ("anfeindungen") which, for a series of years, have been committed by the neighbouring State of Sardinia against the indisputable rights of my Crown, and against the integrity of the realm placed by God under my care, which acts have lately attained the very highest point. By so doing I have fulfilled the painful but unavoidable duty of a Sovereign. My conscience being at rest, I can look up to an omnipotent God, and patiently await His award. With confidence I leave my decision to the impartial judgment of contemporaneous and future generations. Of the approbation of my faithful subjects I am sure. When more than 10 years ago the same enemy, violating international law and the usages of war, and without any cause being given, invaded the Lombardo-Venetian territory with an army, with the intention of seizing upon it, although he was twice totally defeated by my gallant army, and at the mercy of the victor, I behaved generously, and held out my hand to a reconciliation (**No. 215**). I did not appropriate to myself one inch of his territory; I encroached on no right which belongs to the Crown of Sardinia, as one of the members of the European family of nations. I insisted on no guarantees against the recurrence of similar events. The hand of peace which I, in all sincerity, extended, and which was taken, appeared to me to be a sufficient guarantee. The blood which my army shed for the honour and right of Austria I sacrificed on the altar of peace ("dem frieden brachte Ich das blut meiner armee zum opfer"). The answer to this forbearance, which has hardly had an example in history, was a resumption of hostility, and an agitation carried on by all the expedients of perfidy, increasing from year to year, against the peace and welfare of my Lombardo-Venetian Kingdom. Well knowing how much I ought to value the priceless boon of peace for my people and for Europe, I patiently bore with these new

hostilities. My patience was not exhausted when the more extensive measures which recently I was forced to take, in consequence of the revolutionary agitation on the frontiers of my Italian Provinces, and within the same, were made an excuse for a higher degree of hostility. Willingly accepting the well-meant Mediation of friendly Powers for the maintenance of Peace, I consented to become a party to a Congress of the 5 great Powers. The 4 points proposed by the Royal Government of Great Britain as a basis for the deliberations of the Congress, were forwarded to my Government, and I accepted them, with the conditions which alone were calculated to bring about a true, sincere, and durable peace.* But in the consciousness that no step on the part of my Government could, even in the most remote degree, lead to a disturbance of the peace, I required at the same time that the Power which was the cause of the complication, and had brought about the danger of war, should, as a preliminary measure, disarm. Being pressed thereto by friendly Powers, I at length accepted the proposal for a general disarmament. The Mediation failed in consequence of the inadmissible nature of the conditions on which Sardinia made her consent dependent. Only one means of maintaining peace remained. I addressed myself directly to the Sardinian Government, and summoned it to place its army on a peace footing, and to disband the free corps. Sardinia did not accede to my demand: therefore, the moment for deciding the matter by an appeal to arms has arrived.

I have ordered my army to enter Sardinia.†

I am aware of the vast importance of the measure, and if ever my duties as a monarch weighed heavily on me it is at this moment. War is the scourge of mankind. I see with emotion that the lives and property of thousands of my subjects are imperilled, and deeply feel what a severe trial war is for my realm, which, being occupied with its internal development, greatly requires the continuance of peace. But the heart of the monarch must be silent at the command of honour and duty. On the frontiers the enemy stands in arms, in alliance with the revolutionary party, openly announcing his intention to seize upon the possessions of Austria in Italy. To support him, the Ruler over France, who, under futile pretexts, interferes in the legally established relations of the Italian Peninsula, has set his troops in

* See note, page 1411.
† See note, page 1361.

movement. Detachments of them have already crossed the frontiers of Sardinia. The Crown which I received without spot or blemish from my forefathers has already seen trying times. The glorious history of our country gives evidence that Providence, when the shadows of a revolution, menacing to the highest good of humanity, appear about to spread over this quarter of the world, has frequently used the sword of Austria in order to dispel those shadows with its lightning. We are again on the eve of a period when the world is threatened with an overthrow of everything subsisting, and that not by parties only, but from thrones downwards. If I draw the sword, that sword receives a consecration, as a defence for the honour and the good right of Austria, for the rights of all peoples and States, and for all that is held most dear by humanity.

To you, My People, whose devotion to the hereditary reigning family may serve as a model for all the nations of the earth, I now address myself. In the conflict which has commenced you will stand by me with your oft-proved fidelity, devotion, and self-sacrifice. To your sons, whom I have taken into the ranks of the army, I their commander, send my martial greeting. With pride you may regard them, for the eagle of Austria will, with their support, soar high in honour.

Our struggle is a just one, and we begin it with courage and confidence. We hope that we shall not stand alone in it. The soil on which we have to do battle was made fruitful by the blood lost by our German brethren when they won those bulwarks which they have maintained up to the present day. There the crafty enemies of Germany have generally begun their game when they have wished to break her internal power. The feeling that such a danger is now imminent prevails in all parts of Germany, from the hut to the throne, from one frontier to the other. I speak as a Sovereign member of the Germanic Confederation when I call attention to the common danger, and recall to memory the glorious times in which Europe had to thank the general and fervent enthusiasm for its liberation.

For God and Fatherland!

Given at my residence and metropolis of Vienna, on this 28th day of April, 1859.

FRANCIS JOSEPH.

No. 294.—*SARDINIAN PROCLAMATION of War with Austria. Turin, 29th April, 1859.*

(Translation as laid before Parliament.)

PEOPLE OF THE KINGDOM!

AUSTRIA attacks us with a powerful army, which, while professing a love of peace, she has assembled to assault us in the unhappy provinces subject to her domination.

Unable to support the example of our civil order, and unwilling to submit to the judgment of an European Congress, on the evils and dangers of which she alone is the cause in Italy, Austria violates her promise to England, and makes a case of War out of a law of honour.

Austria dares to demand the diminution of our troops; that that brave youth, which from all parts of Italy has thronged to her standard of national independence, be disarmed, and handed over to her.

A jealous guardian of the ancestral common patrimony of honour and glory, I have handed over to my beloved cousin Prince Eugène the Government of the State, while I myself again draw the sword.

The brave soldiers of the Emperor Napoleon, my generous Ally, will fight the fight of liberty and justice with my soldiers.

People of Italy!

Austria attacks Piedmont because I have advocated the cause of our common country in the Councils of Europe, and because I have not been insensible to your cry of anguish. Thus she has violently broken those Treaties which she never respected; thus now all right is on the side of the nation, and I can conscientiously perform the vow made on the tomb of my illustrious parent. Taking up Arms in the defence of my Throne, of the liberty of my people, and of the honour of the Italian name, I fight for the rights of the whole nation.

We trust in God and in our concord; in the valour of the soldiers of Italy, and in the alliance of the noble French nation,* and we trust in the justice of public opinion.

My only ambition is to be the first soldier of Italian Independence.

Turin, 29th April, 1859.

Viva l'Italia!

C. Cavour. VICTOR EMANUEL.

* See French Proclamation of 3rd May, 1859.

No. 295.—*COMMUNICATION made by the Emperor of the French to the Chambers, announcing War with Austria. 3rd May,* 1859.

(Translation as laid before Parliament.*)

GENTLEMEN,

I HAVE had the honour to present to the Senate (to the Legislative Body) the statement of the negotiations followed by the Powers up to the moment when Austria, separating her course of action from that of the other Cabinets, decided to address to Sardinia an Ultimatum, proclaiming, if it was not complied with, her intention to have recourse to arms.

The Government of the Emperor did not wish to allow the Court of Austria to remain in ignorance of the light in which it viewed this eventuality, and the Chargé d'Affaires of His Majesty at Vienna, warned the Austrian Government, since the 26th of last month, that if its troops crossed the frontier of Piedmont, France would be obliged to consider this invasion of an allied country as a Declaration of War.

The Court of Austria, having persisted in employing force, and its troops having entered, on the 29th, the Sardinian territory, the Emperor has commanded me to bring this fact to the knowledge of the Legislative Corps, which constitutes Austria in a state of War with France.

* For French version, see "State Papers," vol. lvii, p. 237.

No. 296.—*PROCLAMATION of War by France against Austria. Paris, 3rd May, 1859.*

(Translation as laid before Parliament.*)

The Emperor to the French People.

FRENCHMEN!

AUSTRIA, in causing her Army to enter the territory of the King of Sardinia, our Ally, declares War against us. She thus violates Treaties and justice, and menaces our Frontiers. All the Great Powers have protested against this aggression.† Piedmont having accepted the conditions which should have insured peace, one asks, what can be the reason of this sudden Invasion? It is that Austria has brought matters to this extremity, that her dominion must either extend to the Alps, or Italy must be free to the Adriatic; for in this country every corner of territory which remains independent endangers her power.

Hitherto moderation has been the rule of my conduct; now energy becomes my first duty.

Let France arm, and say resolutely to Europe, "I desire no conquest, but I desire firmly to maintain my national and traditional policy. I observe the Treaties on condition that no one shall violate them against me. I respect the Territory and Rights of Neutral Powers, but I boldly avow my sympathy for a people whose history is mingled with our own, and who groan beneath foreign oppression."

France has shown her hatred against anarchy; she has been pleased to give me a power strong enough to reduce to helplessness the abettors of disorder and the incorrigible members of those old factions whom one perpetually sees plotting with our enemies: but she has not, therefore, abdicated her task of civilization. Her natural allies have always been those who desire the improvement of the human race, and when she draws the sword it is not in order to dominate, but to liberate.

The object of this War, then, is to restore Italy to herself, not to make her change masters, and we shall then have next our

* For French version, see "State Papers," vol. lvii, p. 237.
† The British Protest, note, page 1371.

frontiers a friendly people, who will owe to us their Independence.

We are not going into Italy to foment disorder or to shake the Power of the Holy Father, whom we have replaced upon his throne, but to free him from this foreign pressure, which weighs upon the whole Peninsula, and to help to establish there order upon legitimate satisfied interests.

We are going, in fine, to seek upon this classic ground, illustrated by so many victories, the footsteps of our fathers. God grant that we may be worthy of them!

I am going soon to place myself at the head of the army. I leave in France the Empress and my son. Seconded by the experience and the enlightenment of the last surviving brother of the Emperor, she will understand how to show herself equal to the grandeur of her mission.

I confide them to the valour of the army which remains in France to watch over our frontiers as well as to protect our homes; I confide them to the loyalty of the National Guard; I confide them, in a word, to the whole people, who will encircle them with that affection and devotion of which I daily receive so many proofs.

Courage, then, and Union! Our country is going once more to show the world that she has not degenerated. Providence will bless our efforts, for the cause which rests on justice, humanity, love of country, and independence, is holy in the eyes of God.

NAPOLEON.

Paris, 3rd May, 1859.

No. 297.—*CIRCULAR of the British Government to Her Majesty's Ministers abroad, relative to the War between France and Sardinia and Austria. London, 4th May,* 1859.

SIR, Foreign Office, 4th May, 1859.

THE apprehensions which, as I stated to you at the close of my despatch of the 7th ultimo, Her Majesty's Government at that time entertained lest all their efforts to prevent Peace from being interrupted should prove unavailing, have unfortunately been realised. It is, therefore, unnecessary for me to enter into a detailed account of the various transactions which intervened between the date of my last despatch and the breaking out of War between France and Sardinia, on the one side, and Austria, on the other, although it is right that you should have a general idea of what has occurred in that interval.

The negotiations turned generally on two points, the one relating to Disarmament, the other to the admission of the Italian States, in some form or other, to the proposed Congress.

The Cabinet of Vienna insisted, at first, as an indispensable condition to its entry into the Congress, that Sardinia should, in the first instance, disarm and disband the free corps which she had enrolled; but it finally acquiesced, with some modification, in a proposal made by Her Majesty's Government, and declared it would be contented if a general disarmament were carried out by Austria, France, and Sardinia, previously to the meeting of the Congress.

The Government of France was prevailed upon to admit, for itself, the principle of a General Disarmament; but it hesitated for a long time before it consented to press the acceptance of it on Sardinia, and at length only agreed to do so on condition that the Italian States should be admitted to send Representatives to the Congress, not simply as Advocates, but as Plenipotentiaries, having an equal position and voice with the Plenipotentiaries of the Great Powers in the deliberations that might ensue.

On reviewing the state of the negotiation, His Majesty's Government conceived that there was still a chance of affecting

such an understanding between the parties as would ensure the meeting of the Congress, and for this pursose they proposed, on the 18th of last month,—

1st. That there should be a previous, immediate, effective, and simultaneous Disarmament, on the part of Austria, France, and Sardinia;

2ndly. That the details of that Disarmament should be settled by 6 Military or Civil Commissioners, to be named severally by the Great Powers and by Sardinia;

3rdly. That those Commissioners having met and entered upon their duties, the Congress should forthwith be convened; and,

4thly. That the Congress, when convened, should invite the Italian States to send Representatives, who would be admitted to, and take part in the deliberations of, the Congress, in the same manner and on the same footing as they were admitted to, and took part in the deliberations of, the Congress of Laybach.

This proposal was accepted in the main by the Governments of France, Prussia, and Russia, and partially by the Cabinet of Vienna. The latter however, absolutely refused to agree to the admission of the Representatives of the Italian States to the Congress, or to the participation of Sardinia in that Assembly, under any conditions whatever.

This decision on the part of the Austrian Government put an end to all hope of any Congress being brought together; for, though the point was not again raised, I may as well mention to you that, in an earlier stage of the negotiations, Her Majesty's Government and that of Prussia refused to entertain a suggestion made by the Cabinet of St. Petersburgh, that,—in consequence of the hesitation at that time shown by Austria,—England, France, Prussia, and Russia should hold a Congress on the affairs of Italy, without her participation.

The refusal of Austria to accept the last proposal of Her Majesty's Government, was accompanied, on her part, by a peremptory summons to Sardinia to disarm, and to disband the free corps. Her Majesty's Government, on receiving this intelligence, addressed to the Cabinet of Vienna the strongest remonstrances on the impolicy of this proceeding, and directed Her Majesty's Minister at that Court to place on record a formal Protest against it. This precipitate measure was the more to be regretted inasmuch as the Cabinet of Turin, which had pre-

viously declined to comply with the combined representations of England and Prussia, on the subject of disarmament, had announceed, on the very day that the summons was dispatched from Vienna, though the Austrian Government were unacquainted with the fact when the summons was dispatched, that as France had united with England in demanding the previous disarmament of Sardinia, the Cabinet of Turin, although foreseeing that such a measure might entail disagreeable consequences for the tranquillity of Italy, was disposed to submit to it.

In this state of things, all hopes of accommodation seemed to be at an end: nevertheless, Her Majesty's Government resolved to make one more attempt to stay hostilities, and they accordingly formally tendered the Mediation of England between Austria and France, for the settlement of the Italian question, on bases corresponding with the understanding arrived at between Lord Cowley and Count Buol at Vienna.

But this too failed: and Her Majesty's Government have only to lament the little success which has attended all their efforts, jointly with other Powers or singly, to avert the interruption of the general Peace. In the present position of the contending parties, it would obviously be to no purpose to attempt to restrain them from engaging in a deadly struggle. Her Majesty's Government will, however, watch the progress of the War with the most anxious attention, and will be ready to avail themselves of any opportunity that may arise for the exercise of their Good Offices in the cause of Peace.

It is their earnest desire and firm intention to observe the most scrupulous Neutrality between the contending parties.

MALMESBURY.

On the following day the Earl of Malmesbury addressed a further Dispatch to Her Majesty's Ambassador in Paris, in which the following passage occurs:—

"The British Government have always recognised as a sacred rule of international obligation, that no country has a right authoritatively to interfere in the Internal Affairs of a Foreign State, or, with a sound policy, long withhold its acknowledgment of any new form of government which may be adopted and established,

without territorial usurpation or absorption, by the spontaneous wish of its people.

"The British Government have shown, for a long series of years, how steadily they have observed these principles, and they certainly cannot depart from them on the present occasion, however earnest may be their desire to secure the freedom of the Italian people, and to maintain the Treaties which confirmed the Independence of their respective States."

[Great Britain proclaimed its Neutrality in this War on the 13th May, 1859.]

No. 298.—*PRELIMINARY TREATY of Peace between Austria and France. Signed at Villafranca, 11th July, 1859.**

TABLE.

Creation of *Italian* Confederation under Presidency of the Holy Father.
Cession of *Lombardy*, except Fortresses of *Mantua* and *Peschiera*, to *France*.
Ceded Territory to be presented to King of *Sardinia*.
Venetia to form part of *Italian* Confederation, subject to Crown of *Austria*.
Restoration of Grand Duke of *Tuscany* and Duke of *Modena*. Amnesty.
Reforms in *States of the Church*.
Full and complete Amnesty by *France* and *Austria*.

(Translation as laid before Parliament.†)

BETWEEN His Majesty the Emperor of Austria and His Majesty the Emperor of the French, it has been agreed as follows:—

Creation of Italian Confederation under Presidency of the Holy Father.

The two Sovereigns favour the creation of an Italian Confederation. This Confederation shall be under the honorary Presidency of the Holy Father.

Cession of Lombardy, except Fortresses of Mantua and Peschiera, to France.

The Emperor of Austria cedes to the Emperor of the French his rights over Lombardy, with the exception of the Fortresses of Mantua and Peschiera, so that the Frontier of the Austrian Possessions shall start from the extremity of the rayon of the Fortress of Peschiera, and extend in a straight line along the Mincio as far as Legrazia, thence to Szarzarola, and Lugano on the Po, whence the existing Frontiers continue to form the Boundaries of Austria.

Ceded Territory to be presented to King of Sardinia.

The Emperor of the French shall present the ceded Territory to the King of Sardinia.‡

* A Convention of Armistice was signed on the 8th July, 1859.

† For French version, see "State Papers," vol. xlix, p. 362.

‡ See Treaty between Austria and France of 10th November, 1859, Arts. v and xvii.

[Peace of Villafranca.]

Venetia to form part of Italian Confederation, subject to Crown of Austria.

Venetia shall form part of the Italian Confederation, remaining, however, subject to the Crown of the Emperor of Austria.

Restoration of Grand Duke of Tuscany and Duke of Modena. Amnesty.

The Grand Duke of Tuscany and the Duke of Modena return to their States, granting a General Amnesty.

Reforms in States of the Church.

The two Emperors shall request the Holy Father to introduce in his States some indispensable reforms.

Full and complete Amnesty by France and Austria.

Full and complete Amnesty is granted on both sides to persons compromised on the occasion of the recent events in the territories of the belligerents.

Done at Villafranca, 11th July, 1859.

FRANCIS JOSEPH.

No. 299.—*PROTOCOLS OF CONFERENCES between the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the Organisation of the Principalities of Moldavia and Wallachia. Paris, April—September,* 1859.*

[For Protocols **Nos. 1** to **19**, Paris, May to August, 1858, see **No. 284.**]

Protocol		"State Papers," vol. xlix, page
No. 20.	Illegal Electoral Operations in *Moldavia.* Objections of the *Porte* to Election of Colonel Couza, as being contrary to the Stipulations of the Convention of 19th August, 1858 (**No. 286**) ..... Paris, 7th April, 1859..	454
No. 21.	Protest of *Turkey* against the double Election of Colonel Couza as Hospodar of *Moldavia* and Hospodar of *Wallachia.* Election of Colonel Couza recommended by the Conference for recognition as an exceptional case. Coercive measures to be adopted in case of Infraction of Convention of 19th August, 1858, by Hospodar. Paris, 13th April, 1859..	454
No. 22.	Accession of *Turkey* to recommendation of Conference recognising the Election of Colonel Couza as Hospodar of *Moldavia* and Hospodar of *Wallachia* as an exceptional case..... Paris, 6th September, 1859..	457

* See Protocol of 6th September, 1859; and Firman of 6th December, 1861.

No. 300.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the recognition of Prince Couza as Hospodar of Moldavia and Wallachia. Paris, 6th September,* 1859.*

(Translation as laid before Parliament.†)

PRESENT: The Plenipotentiaries of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey.

The Prince Metternich shows his Full Powers, which are found to be in good and due form.

The Plenipotentiary of Turkey announces that he has informed his Court of the resolution presented by the Plenipotentiaries of France, Great Britain, Prussia, Russia, and Sardinia, and inserted in the Protocol of the 13th April (**No. 299**), and that he is authorised in the name of his Government to make the following answer:—

"The Sublime Porte, taking into consideration the recommendation made by 5 of the Guaranteeing Powers, confers exceptionally, and for this once, the investiture on Colonel Couza, as the Hospodar of Moldavia and Wallachia, it being well understood that on the occasion of every future election and investiture of Hospodars, the course of proceeding shall be rigorously in conformity with the principles laid down in the Convention of the 19th August, 1858 (**No. 286**). In consequence, and to maintain the principle of administrative separation on which the above-mentioned Convention rests, the Sublime Porte will give to Colonel Couza two Firmans, of which the one confers the investiture for Moldavia, and the other for Wallachia; and the new Hospodar for the two Principalities, after having received his Firmans of investiture, shall go to Constantinople as his predecessors have, and as has hitherto been done, so soon as the duties connected with the Administration of the two Principalities will permit him to absent himself. The Prince called exceptionally on this occasion to the Hospodariat of Moldavia and Wallachia, must maintain in each of the two Principalities an Administration separate and distinct, the one from the other, except in the cases foreseen by the Convention.

* See also Firman of 6th December, 1861.

† For French Version see "State Papers," vol. xlix, p. 457.

"As the Powers that signed the Convention of the 19th August (**No. 286**), have resolved to suffer no infraction of the provisions of that Convention, the Sublime Porte, in the event of a violation of that Act in the Principalities, after having taken steps and asked for the necessary information from the Administration of the Hospodariat, shall inform the Representatives of the Guaranteeing Powers at Constantinople of this circumstance; and when once the fact that infraction has taken place is agreed upon by them in common accord, the Suzerain Court shall send into the Principalities a Commissioner *ad hoc*, charged to request that the measure which has caused the infraction may be reported; the Commissioner of the Sublime Porte shall be accompanied by Delegates of the Representatives at Constantinople, with whom he will act in concert and of common accord. If this request is not complied with, the Commissioner of the Sublime Porte and the Delegates will signify to the Hospodar that on account of the refusal to accede thereto, it will be considered what coercive measures are to be employed. In that case the Sublime Porte will, without delay, concert with the Representatives of the Guaranteeing Powers at Constantinople upon the steps there may be occasion to take."

The Plenipotentiary of Austria adheres to the Declaration of the Plenipotentiary of Turkey.

The Conference takes note of the answer of the Ottoman Government, and finding it in conformity on every point with the resolution inserted in the Protocol of the 13th April, decides that the conditional Declaration mentioned in the said resolution, shall, from that time be considered as adopted, and shall in case of need be put into full execution.

Conventual Property.

The Plenipotentiaries of Russia and Turkey call to mind that the Conference at its sitting of the 30th July, 1858 (**No. 300**), decided that a delay of one year should be accorded to the parties interested, to come to an understanding on the dispute respecting the Conventual Property: they remark that on account of the unsettled state of the Principalities up to this time the discussion of this question has not been permitted; they propose, in consequence, to decide that the delay of one year, of which mention is made in the last paragraph of the Protocol **No. 13**, shall only commence

one month after the day on which Colonel Couza shall receive his investiture as Hospodar of Moldavia and Wallachia.

This proposition is adopted.

Navigation of the Danube.

The Plenipotentiary of Russia recalls the engagement contracted by the Plenipotentiaries of Austria and Turkey at the sitting of the 16th August, 1858 (**No. 284**), to transmit to their respective Governments the observations which the Plenipotentiaries of France, of Great Britain, of Prussia, and of Sardinia, made conjointly with him, on the subject of the control of the Navigation of the Danube, drawn up by the Riverain Powers, and he expresses the hope that the Conference will soon be informed of the decision to which these Powers have come.*

The Plenipotentiaries of France, Great Britain, Prussia, and Sardinia, join in the hope expressed by the Plenipotentiary of Russia.

The Plenipotentiary of Austria remarks that his Powers being limited to the double Election of Prince Couza, and his instructions not empowering him to deliberate on another question, he must confine himself to informing his Government of the observations of the Plenipotentiaries.

The Plenipotentiary of Turkey will also refer to his Government.

(The Signatures follow.)

* Provisional Regulations for the Navigation of the *Lower* Danube were signed on the 21st November, 1864, which were amended by a Public Act signed on the 2nd November, 1865, which was also amended by a Protocol dated 28th March, 1866. Various other Regulations were subsequently issued, all of which were cancelled by the 154th Article of the Regulations of 8th November, 1870. See also Treaty of 13th March, 1871.

An Act relative to the Navigation of the *Upper* Danube was concluded between Austria, Bavaria, Turkey, and Wurtemburg, on the 7th November, 1857, to which Additional Articles were added on the 1st March, 1859; but these Documents were not sanctioned by the Paris Conference. See Protocols of 9th and 16th August, 1858; Table **No. 284**; and Protocol of 28th March, 1866.

[Treaty of Zurich.]

No. 301.—*TREATY OF PEACE between Austria and France. Signed at Zurich, 10th November, 1859.**

ART. TABLE.

Preamble.
1. Peace and Friendship.
2. Restoration of Prisoners of War.
3. Restoration of *Austrian* Vessels not condemned as Prizes of War. Vessels and Cargoes to be restored on payment of all expenses. No indemnity to be claimed for Prizes sunk or destroyed. Decisions of Prize Courts to be held good.
4. Cession of *Lombardy* to *France*, except Fortresses of *Peschiera* and *Mantua*. Line of Frontier. Military Commission to trace Line of Frontier.
5. Territories ceded to be handed over to King of *Sardinia*.
6. Evacuation of Territories by Belligerents.
7. *Lombardy* to pay part of Monte Lombardo-Veneto Debt. Part of National Loan to be paid by *Lombardy*. Mode of Payment.
8. Appointment of Commission for payment of Monte Lombardo-Veneto Debt. Division of Assets of the Sinking Fund of the Monte. Division of Lands or Mortgages. Proportion to be paid by either Party.
9. Rights and Obligations of *Lombardy* relative to *Austrian* Contracts.
10. Reimbursements to be made by *Austrian* and *Lombardo* Governments.
11. Recognition and Confirmation by *Lombardy* of *Austrian* Railway Concessions. *Austrian* right of Devolution transferred to *Lombardy*. Payments still due by Concessionaries to be paid in full to *Austria*. *Austria* to pay credits of building Contractors and Tradesmen, &c. International Service of Railways to be regulated by New Convention.
12. *Lombard* Subjects free to retire with their Moveables to *Austria*, and to keep their Immoveable Property in *Lombardy*. Same Liberty to Lombards living in Austria. *Lombard* subjects to be free from Molestation. Time within which Lombards are to make their choice.
13. *Lombard* Subjects in *Austrian* Army to return to their homes. Lombards free to remain in *Austrian* Service. Civil Servants free to remain in *Austrian* Service.
14. Civil and Military Pensions to be paid by *Lombardy*. Former Civil and Military Pensions to be paid by *Lombardy*.
15. Archives, &c., belonging to non-ceded part of *Lombardy* and *Venetia* to be handed over to *Austria*. Archives belonging to ceded Territory to be handed over to *Lombardy*.
16. Religious Societies free to dispose of their Moveable and Immoveable Property.
17. Transfer of *Lombardy* by *France* to *Sardinia*.
18. *Austria* and *France* to encourage establishment of a Confederation among *Italian* States. *Venetia*, subject to *Austria*, to form one of the States of the Confederation.

* See also Treaties between France and Sardinia, and between Austria, France, and Sardinia, and Declarations between the Plenipotentiaries of Austria and France, of the same date, pages 1392, 1401, 1412, 1413.

ART. TABLE.

19. Reservation of Rights of Grand Duke of *Tuscany*, and Dukes of *Modena* and *Parma*.
20. *Austria* and *France* to recommend Reforms in the States of the Church.
21. Non-molestation, in Person or Property, of Individuals, implicated in recent events.
22. Ratifications.

Additional Article.

Payments to be made by *France* to *Austria*, and repayment to be guaranteed by new Government of *Lombardy*.

(Translation as laid before Parliament.*)

In the Name of the Most Holy and Indivisible Trinity.

HIS Majesty the Emperor of Austria, and His Majesty the Emperor of the French, desirous of putting an end to the calamities of War, and of preventing the recurrence of the complications which gave rise to it, by assisting to place on solid and durable bases the internal and external Independence of Italy, have resolved to convert into a Definitive Treaty of Peace the Preliminaries signed by their hand at Villafranca.

With this view their Imperial Majesties have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Austria, the Sieur Alois Count Karolyi of Nagy Karoly, his Chamberlain and Minister Plenipotentiary, &c., &c.; and the Sieur Otho Baron de Meysenbug, his Minister Plenipotentiary and Aulic Councillor, &c.;

And His Majesty the Emperor of the French, the Sieur François Adolphe Baron de Bourqueney, Senator of the Empire, &c.; and the Sieur Gaston Robert Morin Marquis de Banneville, Officer of the Imperial Order of the Legion of Honour, &c., &c.;

Who, having met in Conference at Zurich, and after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Peace and Friendship.

ART. I. There shall be in future Peace and Friendship between His Majesty the Emperor of Austria and His Majesty the Emperor of the French, as also between their heirs and successors, their respective States and subjects, for ever.

* For French version see "State Papers," vol. xlix, p. 364.

Restoration of Prisoners of War.

ART. II. The Prisoners of War shall be immediately given up on either side.

Restoration of Austrian Vessels not condemned as Prizes of War.

ART. III. To diminish the evils of War, and by an exceptional departure from the law generally observed, the captured Austrian Vessels which have not yet been condemned as Prizes shall be restored.

Vessels and Cargoes to be restored on Payment of all Expenses. No Indemnity to be claimed for Prizes Sunk or Destroyed.

The Vessels and Cargoes shall be restored in the state in which they were at the time of their capture, after payment of all expenses, and of all charges which may have been incurred on account of the convoy, and keeping of the said Prizes, as well as of any legal proceedings connected with them, and the usual allowance to the captors; and lastly, no Indemnity will be claimable on account of Prizes sunk or destroyed any more than for the capture of merchandize belonging to the enemy, even though it may not yet have been subjected to a decision of the Prize Court.

Decisions of Prize Courts to be held good.

It is well understood, on the other hand, that the Decisions pronounced by the Prize Court hold good in favour of those to whom the Prizes have been adjudged.

*Cession of Lombardy to France, except Fortresses of Peschiera and Mantua.**

ART. IV. His Majesty the Emperor of Austria renounces, for himself and all his descendants and successors, in favour of His Majesty the Emperor of the French, his Rights and Titles to Lombardy, with the exception of the Fortresses of Peschiera and Mantua, and of the Territories determined by the new delimitation, which remain in the possession of His Imperial and Royal Apostolic Majesty.

Line of Frontier.

The line of Frontier, starting from the southern limit of the

* See also Treaty between France and Sardinia, Art. I, page 1393, and Declaration between Austria and France, of the same date, page 1412.

Tyrol, on the Lac de Garda, will pass along the middle of the Lake, as high as Bardolino and Manerba, from whence it will rejoin in a straight line, the point where the circle of defence of the Fortress of Peschiera intersects the Lac de Garda.

This circle will be determined by a circumference of which the radius, reckoned from the centre of the Fortress, is fixed at 3,500 mètres, plus the distance from the said centre to the glacis of the most advanced fort. From the point where the circumference thus designated intersects the Mincio, the Frontier will follow the thalweg of the River as far as Le Grazie, will extend from Le Grazie in a straight line to Scorzarolo, will follow the thalweg of the Po to Luzzara, from which point there is no change in the present Limits as they existed before the War.*

Military Commission to trace Line of Frontier.

A Military Commission, appointed by the Governments interested, will be charged with the duty of tracing the Line on the ground with the least possible delay.

Territories ceded to be handed over to King of Sardinia.†

ART. V. His Majesty the Emperor of the French declares his intention of handing over to His Majesty the King of Sardinia the Territories ceded by the preceding Article.

Evacuation of Territories by Belligerents.

ART. VI. The Territories still occupied in virtue of the Armistice of the 8th July last, shall be reciprocally evacuated by the Belligerent Powers, the troops of which will retire immediately beyond the frontier line stipulated in Article IV.

Lombardy to pay part of Monte Lombardo-Veneto Debt.

ART. VII. The new Government of Lombardy will undertake three-fifths of the debt of the Monte Lombardo-Veneto.

Part of National Loan to be paid by Lombardy.

It will equally be charged with a portion of the National Loan of 1854, fixed between the High Contracting Powers at 40,000,000 florins ("*Conventions-münz*").

* See Protocol of 21st November, 1859.

† See Treaty between France and Sardinia of the same date, Art. I, page 1393.

Mode of Payment.

The manner of the payment of these 40,000,000 florins will be determined by an Additional Article.*

Appointment of Commission for payment of Monte Lombardo-Veneto Debt.

ART. VIII. An International Commission shall be immediately appointed to wind up the affairs of the Monte Lombardo-Veneto; the creditor and debtor balance to be drawn on the principle of three-fifths to the new Government, and two-fifths to Austria.

Division of Assets of the Sinking Fund of the Monte. Division of Lands or Mortgages.

Of the assets of the Sinking Fund of the Monte and its deposits, consisting of public securities, the new Government will receive three-fifths and Austria two-fifths; and as to that part of the assets which consist of Lands or Mortgages, the Commission will effect the partition with reference to the situation of the real property in question, so as to allot the property, as far as possible, to that one of the two Governments upon whose Territory it may be situated.

Proportion to be paid by either Party.

As to the different categories of debts inscribed in the Monte Lombardo-Veneto, and to the capital placed at interest in the deposit bank of the sinking fund, the new Government undertakes three-fifths and Austria two-fifths, either for the payment of interest, or the reimbursement of the capital, in conformity with the regulations hitherto in force. The credits of Austrian subjects will, by preference, form part of the quota of Austria, who will transmit to the new Government of Lombardy specified lists of these papers, in three months' time from the exchange of Ratifications, or sooner, if possible.

Rights and Obligations of Lombardy relative to Austrian Contracts.

ART. IX. The new Government of Lombardy succeeds to the Rights and Obligations resulting from Contracts regularly stipulated by the Austrian Administration for objects of public interest, especially concerning the ceded Territory.

* See page 1390.

Reimbursements to be made by Austrian and Lombardo Governments.

ART. X. The Austrian Government is charged with the Reimbursement of all sums paid by Lombard subjects, communal districts, public establishments, and religious societies, into the Austrian public banks, in the shape of caution-money, deposits, or consignments. In the same manner Austrian subjects, communal districts, public establishments, and religious societies, who have paid money into the Lombard Banks in the shape of caution-money, deposits, or consignments, will be punctually reimbursed by the new Government.

Recognition and Confirmation by Lombardy of Austrian Railway Concessions.

ART. XI. The new Government of Lombardy recognises and confirms the Concessions granted to the Railroads by the Austrian Government on the ceded Territory, to the full extent of all their arrangements and duration, and particularly the Concessions resulting from the Contracts passed under date of 14th March, 1856, 8th April, 1857, and 23rd September, 1858.

Austrian right of Devolution transferred to Lombardy.

From the time of the exchange of the Ratifications of this Treaty, the new Government is bound by all the agreements and obligations resulting to the Austrian Government from the above-mentioned Concessions, in regard to the lines of Railway situated on the ceded Territory; consequently the right of Devolution which belonged to the Austrian Government in respect to these Railroads, is transferred to the new Government of Lombardy.

Payments still due by Concessionaries to be paid in full to Austria.

The Payments which are still to be made on the sum due to the State by the Concessionaries in virtue of the Contract of 14th March, 1856, as an equivalent for the expense of construction of the said Railroads, will be paid in full into the Austrian Exchequer.

Austria to pay Credits of Building Contractors and Tradesmen, &c. International Service of Railways to be regulated by New Convention.

The Credits of the Building Contractors and Tradesmen, as

well as the compensation-money for appropriation of land, which appertain to the time when the Railways in question were administered on account of the State, and which have not yet been paid, will be paid by the Austrian Government, and, in so far as they may be due from them in virtue of the Act of Concession, by the grantees of the Austrian Government. A special Convention will make arrangements, as soon as possible, for the International Service of the Railways between the respective Countries.

Lombard Subjects free to retire with their Moveables to Austria, and to keep their Immoveable Property in Lombardy.

Art. XII. Lombard subjects domiciled on the Territory ceded by the present Treaty will have, for the space of a year, from the date of the day on which the Ratifications are exchanged, and conditionally on a previous Declaration before the competent authorities, full and entire power to export their Moveables, free of duty, and to retire with their families into the States of His Imperial and Royal Apostolic Majesty, in which case their quality of Austrian subjects will be retained by them. They will be at liberty to keep their Immoveable Property situated on the Lombard Territory.

Same Liberty to Lombards living in Austria.

The same power is granted reciprocally to natives of the ceded Territory of Lombardy living in the States of His Majesty the Emperor of Austria.

Lombard Subjects to be free from Molestation.

The Lombards who profit by these arrangements cannot be, on account of their choice, disturbed on either side, in their person or their properties situated in the respective States.

Time within which Lombards are to make their choice.

The delay of one year is extended to two years, for the subjects, natives of the ceded Territory of Lombardy, who at the time of the exchange of the Ratifications of this Treaty are not within the Territory of the Austrian Monarchy. Their Declaration may be received by the nearest Austrian Mission, or by the superior authority of any Province of the Monarchy.

Lombard subjects in Austrian Army to return to their Homes.

ART. XIII. The Lombard subjects in the Austrian army, excepting those who are natives of the part of the Lombard Territory reserved to His Majesty the Emperor of Austria by this Treaty, will be immediately discharged from military service, and sent back to their homes.

Lombards free to remain in Austrian Service.

It is understood that those amongst them who declare their wish to remain in the service of His Imperial and Royal Apostolic Majesty will not be disturbed on this account, either in person or in property.

Civil Servants free to remain in Austrian Service.

The same guarantees are assured to the Civil employés, natives of Lombardy, who manifest the intention of keeping the offices they occupy in the Austrian Service.

Civil and Military Pensions to be paid by Lombardy.

ART. XIV. The Pensions, both Civil and Military, regularly paid, and which were paid out of the public funds of Lombardy, remain due to those entitled to them, and, if need be, to their widows and children, and will be paid in future by the new Government of Lombardy.

Former Civil and Military Pensions to be paid by Lombardy.

This stipulation is extended to the Pensioners, both Civil and Military, as well as to their widows and children, without distinction of origin, who keep their domicile in the ceded Territory, and whose salaries, paid up to 1814 by the former Kingdom of Italy, then became payable by the Austrian Treasury.

Archives, &c., belonging to non-ceded part of Lombardy and Venetia to be handed over to Austria.

ART. XV. The Archives containing the Titles to Property, and Documents regarding the administration of justice, applying either to the part of Lombardy of which the possession is reserved to His Majesty the Emperor of Austria by this Treaty, or by the Venetian Provinces, will be handed over to the Commissioners of His Imperial and Royal Apostolic Majesty as soon as possible.

Archives belonging to ceded Territory to be handed over to Lombardy.

Reciprocally, any Titles of Property, and Documents connected with the administration of justice applying to the ceded Territory, which may be in the Archives of the Emperor of Austria, will be handed over to the Commissioners of the new Government of Lombardy.

Documents to be reciprocally communicated.

The High Contracting Parties engage to consult each other, at the request of the superior administrative authorities, respecting all the Documents and informations relative to the affairs which concern both Lombardy and Venetia.

Religious Societies free to Dispose of their Moveable and Immoveable Property.

ART. XVI. The Religious Societies established in Lombardy will be at liberty to dispose of their Moveable and Immoveable Property, in case the new legislation, under which they pass, does not authorise the keeping up of their establishments.

*Transfer of Lombardy by France to Sardinia.**

ART. XVII. His Majesty the Emperor of the French reserves to himself the power of Transferring to His Majesty the King of Sardinia, in the form usual to international transactions, the rights and obligations resulting from Articles VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI of this Treaty.

Austria and France to encourage establishment of a Confederation among Italian States.†

ART. XVIII. His Majesty the Emperor of Austria and His Majesty the Emperor of the French engage to make every effort to encourage the creation of a Confederation amongst the Italian States, to be placed under the honorary presidency of the Holy Father, and the object of which will be to uphold the Independence and Inviolability of the Confederated States, to assure the development of their moral and material Interests, and to guarantee the Internal and External Safety of Italy by the existence of a Federal Army.

* See Treaty between France and Sardinia of the same date, page 1392.

† See Declaration between Austria and France of the same date, page 1413.

Venetia, subject to Austria, to form one of the States of the Confederation.*

Venetia, which remains subject to the Crown of His Imperial and Royal Apostolic Majesty, will form one of the States of this Confederation, and will participate in the obligations, as in the rights, resulting from the Federal Pact, the clauses of which will be determined by an Assembly composed of the representatives of all the Italian States.

Reservation of Rights of Grand Duke of Tuscany, and Dukes of Modena and Parma.

ART. XIX. As the Territorial Delimitations of the Independent States of Italy, who took no part in the late War, can be changed only with the sanction of the Powers who presided at their formation and recognised their existence, the Rights of the Grand Duke of Tuscany, of the Duke of Modena, and of the Duke of Parma, are expressly reserved for the consideration of the High Contracting Parties.

Austria and France to recommend Reforms in States of the Church.

ART. XX. Desirous of seeing the tranquillity of the States of the Church and the power of the Holy Father assured; convinced that such object could not be more efficaciously attained than by the adoption of a system suited to the wants of the populations and conformable to the generous intentions already manifested by the Sovereign Pontiff, His Majesty the Emperor of the French and His Majesty the Emperor of Austria will unite their efforts to obtain from His Holiness that the necessity of introducing into the administration of his States the Reforms admitted as indispensable shall be taken into serious consideration by his Government.

Non-molestation, in Person or Property, of Individuals implicated in recent events.

ART. XXI. With a view to contribute by every effort to quiet the public mind, the High Contracting Parties declare and promise that in their respective Territories, and in the Lands restored or ceded, no Individual compromised by the recent events in the Peninsula, no matter what his rank or position in society, shall be prosecuted, annoyed, or troubled, in Person or Property, on account of his conduct or political opinions.

* Venetia was ceded by Austria to Italy by the Treaty of 23rd August 1866.

*Ratifications.**

ART. XXII. The present Treaty shall be ratified, and the Ratifications exchanged within a fortnight, or earlier if possible. In faith of which the respective Plenipotentiaries have signed it, and have affixed their Seals thereunto.

Done at Zurich, on the 10th day of the month of November, of the year of Grace, 1859.

(L.S.) KAROLYI.
(L.S.) MEYSENBUG.
(L.S.) BOURQUENEY.
(L.S.) BANNEVILLE.

ADDITIONAL ARTICLE.†

Payments to be made by France to Austria, and repayment to be guaranteed by new Government of Lombardy.

THE Government of His Majesty the Emperor of the French engages itself towards the Government of His Imperial and Royal Apostolic Majesty to make, on account of the new Government of Lombardy, which will Guarantee its repayment, to pay to it 40,000,000 florins (*Conventions-münz*), stipulated by Article VII of the present Treaty, in the manner and at the periods hereinafter determined :—

8,000,000 of florins shall be paid cash, by a bill payable at Paris, without interest, on the expiration of the third month, dating from the day on which the present Treaty was signed, and which will be handed to the Plenipotentiaries of His Imperial and Royal Apostolic Majesty when the exchange of Ratifications takes place.

The payment of the remaining 32,000,000 florins shall take place at Vienna, cash, in 10 successive instalments, to be made every two months, by bills on Paris, at the rate of 3,200,000 florins (*Conventions-münz*) each. The first of these payments will be made two months after the payment of the bill of 8,000,000 florins above stipulated. For that date, as for the other following, the interest will be reckoned at 5 per cent., dating

* Ratifications exchanged at Zurich, 21st November, 1859.

† See Treaty between France and Sardinia of the same date, Art. III page 1399.

from the first day of the month which will follow the exchange of the Ratifications of the present Treaty.

The present Additional Article shall have the same force and value as if inserted *verbatim* in the Treaty of this day.

It shall be ratified in one single act, and the Ratifications exchanged at the same time.

In faith of which the respective Plenipotentiaries have signed the present Additional Article, and affixed their Seals thereunto.

Done at Zurich, on the 10th day of the month of November, of the year of Grace, 1859.

(L.S.) KAROLYI.
(L.S.) MEYSENBUG.
(L.S.) BOURQUENEY.
(L.S.) BANNEVILLE.

No. 302.—*TREATY OF PEACE between France and Sardinia. Signed at Zurich, 10th November, 1859.**

ART. TABLE.

1. Transfer of *Lombardy* by *France* to *Sardinia*. Cession of *Lombardy* to *France*, except Fortresses of *Peschiera* and *Mantua*. Line of Frontier. Military Commission to trace Line of Frontier.
2. Acceptance by *Sardinia* of Cession of *Lombardy*. *Lombardy* to pay part of *Monte Lombardo-Veneto* Debt. Part of National Loan to be paid by *Lombardy*. Appointment of Commission for payment of *Monte Lombardo-Veneto* Debt. Division of Assets of Sinking Fund of the Monte. Division of Lands or Mortgages. Proportion to be paid by either Party. Rights and Obligations of *Lombardy* relative to *Austrian* Contracts. Reimbursements to be made by *Austrian* and *Lombardo* Governments. Recognition and Confirmation by *Sardinia* of *Austrian* Railway Concessions. *Austrian* right of Devolution transferred to *Sardinia*. Payments still due by Concessionaries to be paid in full to *Austria*. *Austria* to pay Credits of Building Contractors and Tradesmen, &c. International Service of Railways to be regulated by Special Convention. Recovery of Credits. *Lombard* Subjects free to retire with their Moveables to *Austria*, and to keep their Immoveable Property in *Lombardy*. Same Liberty to *Lombards* living in *Austria*. *Lombard* Subjects to be free from Molestation. Time within which *Lombards* are to make their choice. *Lombard* Subjects in *Austrian* Army to return to their Homes. *Lombards* free to remain in *Austrian* Service. Civil Servants free to remain in *Austrian* Service. Civil and Military Pensions to be paid by *Sardinia*. Former Civil and Military Pensions to be paid by *Sardinia*. Archives, &c., belonging to Non-ceded part of *Lombardy* and *Venetia* to be handed over to *Austria*. Archives belonging to ceded Territory to be handed over to *Sardinia*. Documents to be reciprocally communicated. Religious Societies free to dispose of their Moveable and Immoveable Property.
3. Reimbursement to *France* by *Sardinia* of Payments to be made to *Austria*.
4. Reimbursement of 60,000,000 francs by *Sardinia* to *France*.
5. Ratifications.

(Translation.†)

In the Name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of the French, and His Majesty the King of Sardinia, wishing to strengthen their Alliance, and to

* See also Treaties between Austria and France, and between Austria, France, and Sardinia, of the same date.

† For French version, see "State Papers," vol. xlix, p. 371.

regulate by a definitive understanding the consequences of their participation in the last War, have determined to sanction by Treaty the Preliminary Arrangements of Villafranca (**No. 298**), relative to the cession of Lombardy, they have named for this purpose as their Plenipotentiaries, that is to say:

His Majesty the Emperor of the French, the Sieur François Adolphe Baron de Bourqueney, Senator of the Empire, &c.; and the Sieur Gaston Robert Morin Marquis de Banneville, Officer of the Imperial Order of the Legion of Honour, &c.;

His Majesty the King of Sardinia, the Sieur François Louis Chevalier des Ambrois de Nevache, Vice-President of his Council of State, Senator and Vice-President of the Senate of the Kingdom, &c.; and the Sieur Alexandre Chevalier Jocteau, his Minister to the Swiss Confederation, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Transfer of Lombardy by France to Sardinia.

ART. I. By a Treaty of this day's date (**No. 301**), His Majesty the Emperor of Austria having renounced, for himself and all his heirs and successors, in favour of His Majesty the Emperor of the French, to his Rights and Titles over Lombardy, His Majesty the Emperor of the French transfers to His Majesty the King of Sardinia the Rights and Titles accruing to him by Article IV of the above-mentioned Treaty, as follows:

Cession of Lombardy to France, except Fortresses of Peschiera and Mantua.

"His Majesty the Emperor of Austria renounces, for himself and all his descendants and successors, in favour of His Majesty the Emperor of the French, his Rights and Titles to Lombardy, with the exception of the Fortresses of Peschiera and Mantua, and of the Territories determined by the new Delimitation, which remain in the possession of His Imperial and Royal Apostolic Majesty.

Line of Frontier.

"The Line of Frontier, starting from the southern limit of the Tyrol, on the Lac de Garda, will pass along the middle of the Lake, as high as Bardolino and Manerba, from whence it will rejoin, in a straight line, the point where the circle of defence of the Fortress of Peschiera intersects the Lac de Garda.

"This circle will be determined by a circumference, of which the radius, reckoned from the centre of the fortress, is fixed at 3,500 mètres, plus the distance from the said centre to the glacis of the most advanced fort. From the point where the circumference thus designated intersects the Mincio, the Frontier will follow the thalweg of the River as far as Le Grazie, will extend from Le Grazie in a straight line to Scorzarolo, will follow the thalweg of the Po to Luzzara, from which point there is no change in the present Limits as they existed before the War.

Military Commission to trace Line of Frontier.

"A Military Commission, appointed by the Governments interested, will be charged with the duty of tracing the line on the ground with the least possible delay."

Acceptance by Sardinia of Cession of Lombardy.

ART. II. His Majesty the King of Sardinia, on taking possession of the Territories ceded to him by His Majesty the Emperor of the French, accepts the charges and conditions attached to that cession as they are laid down in Articles VII, VIII, IX, X, XI, XII, XIII, XIV, XV, and XVI of the Treaty of this day's date (**No. 301**), between His Majesty the Emperor of the French and His Majesty the Emperor of Austria, as follows:

Lombardy to pay part of Monte Lombardo-Veneto Debt.

a. The new Government of Lombardy will undertake three-fifths of the debt of the Monte Lombardo-Veneto.

Part of National Loan to be paid by Lombardy.

It will equally be charged with a portion of the National Loan of 1854, fixed between the High Contracting Powers at 40,000,000 florins (*Conventions-münz*).

Appointment of Commission for Payment of Monte Lombardo-Veneto Debt.

b. An International Commission shall be immediately appointed to wind up the affairs of the Monte Lombardo-Veneto; the creditor and debtor balance to be drawn on the principle of three-fifths to the new Government and two-fifths to Austria.

Division of Assets of Sinking Fund of the Monte. Division of Lands or Mortgages.

Of the assets of the sinking fund of the Monte and its deposits, consisting of public securities, the new Government will receive three-fifths and Austria two-fifths; and as to that part of the assets which consists of lands or mortgages, the Commission will effect the partition with reference to the situation of the real property in question, so as to allot the property, as far as possible, to that one of the two Governments upon whose territory it may be situated.

Proportion to be paid by either Party.

As to the different categories of debts inscribed in the Monte Lombardo-Veneto, and to the capital placed at interest in the Deposit Bank of the Sinking Fund, the new Government undertakes three-fifths and Austria two-fifths, either for the payment of interest or the reimbursement of the capital, in conformity with the regulations hitherto in force. The credits of Austrian subjects will, by preference, form part of the quota of Austria, who will transmit to the new Government of Lombardy specified lists of these papers, in 3 months' time from the exchange of Ratifications, or sooner if possible.

Rights and Obligations of Lombardy relative to Austrian Contracts.

c. The new Government of Lombardy succeeds to the Rights and Obligations resulting from Contracts regularly stipulated by the Austrian Administration for objects of public interest, especially concerning the ceded Territory.

Reimbursements to be made by Austrian and Lombardo Governments.

d. The Austrian Government is charged with the reimbursement of all sums paid by Lombard subjects, communal districts, public establishments, and religious societies, into the Austrian public banks in the shape of caution money, deposits, or consignments. In the same manner Austrian subjects, communal districts, public establishments, and religious corporations, who have deposited sums of money as caution money, deposits, or consignments, in the banks of Lombardy, will be punctually reimbursed by the Sardinian Government.

Recognition and Confirmation by Sardinia of Austrian Railway Concessions.

e. The Government of His Majesty the King of Sardinia acknowledges and confirms the Concessions of Railways granted by the Austrian Government upon the Territory ceded, in all their clauses, and during the whole duration of the concessions, and in particular the concessions made by Contracts dated March 14, 1856, April 8, 1857, and September 23, 1858.

Austrian Right of Devolution transferred to Sardinia.

From the day of the date of the exchange of the Ratifications of the present Treaty, the Sardinian Government is invested with all the Rights and subjected to all the Obligations appertaining to the Austrian Government in respect of the said concessions in all that relates to the Railway lines situate on the Territory ceded. Consequently, the right of devolution which belonged to the Austrian Government in regard to these Railways is transferred to the Sardinian Government.

Payments still due by Concessionaries to be paid in full to Austria.

The payments which remain to be made on the sum due to the State by the grantees by virtue of the Contract of 14th March, 1856, by way of equivalent for the expenses of making the said Railways, will be paid in their entirety to the Austrian Treasury.

Austria to pay Credits of Building Contractors and Tradesmen, &c.

The credits of the Building Contractors and Tradesmen, and also the compensation money for land taken, so far as they may appertain respectively to the time when the Railways in question were administered for the account of the State, and which have not hitherto been paid, will be borne by the Austrian Government, and, in so far as they may be due from them by virtue of the concession, by the grantees in the name of the Austrian Government.

International Service of Railways to be regulated by Special Convention.

A special Convention will regulate, with as little delay as possible, the international service of the Railways between Sardinia and Austria.

Recovery of Credits.

It is understood that the recovery of the Credits under Paragraphs 12, 13, 14, 15, and 16 of the Contract of 14th March, 1856, shall not confer upon Austria any right of control or surveillance in the construction and working of the Railways in the Territories ceded. The Sardinian Government undertakes, for its part, to furnish the Austrian Government with all the information which it may require on this head.

Lombard Subjects free to retire with their Moveables to Austria, and to keep their Immoveable Property in Lombardy.

f. The Lombard subjects domiciled on the ceded Territory shall enjoy for the space of one year, commencing with the day of the exchange of the Ratifications, and conditionally on a previous Declaration before the competent authorities, full and entire permission to export their Moveables, free of duty, and to withdraw with their families into the States of His Imperial and Royal Apostolic Majesty, in which case their quality of Austrian subjects shall be retained by them. They shall be free to preserve their Immoveable Property, situated on the Territory of Lombardy.

Same Liberty to Lombards living in Austria.

The same permission is accorded reciprocally to individuals, natives of the ceded Territory of Lombardy, established in the States of His Majesty the Emperor of Austria.

Lombard Subjects to be free from Molestation.

The Lombards who shall profit by the present arrangements shall not be, on account of their choice, disturbed on one side or on the other, in their persons or in their properties situated in the respective States.

Time within which Lombards are to make their Choice.

The delay of one year is extended to two years for the Subjects, natives of the ceded Territory of Lombardy, who, at the time of the exchange of the Ratifications of the present Treaty, shall be beyond the Territory of the Austrian Monarchy. Their Declaration may be received by the nearest Austrian Mission, or by the superior authorities of any province of the Monarchy.

Lombard Subjects in Austrian Army to return to their Homes.

g. The Lombard subjects forming part of the Austrian army, with the exception of those who are natives of the part of the Lombard Territory retained by His Majesty the Emperor of Austria, shall be immediately set free from military service and sent back to their homes.

Lombards free to remain in Austrian Service.

It is understood that those who shall declare their wish to remain in the service of His Imperial and Royal Apostolic Majesty shall not be disturbed on that account, either in their persons or in their properties.

Civil Servants free to remain in Austrian Service.

The same guarantees are given to persons in civil employments, natives of Lombardy, who shall manifest their intention of retaining the offices which they hold in the service of Austria.

Civil and Military Pensions to be paid by Sardinia.

h. Pensions, Civil as well as Military, regularly paid, and which were charged on the public revenue of Lombardy, remain in the possession of those who are entitled to them, and when there is occasion, to their widows and their children, and shall be paid in future by the Government of His Sardinian Majesty.

Former Civil and Military Pensions to be paid by Sardinia.

This stipulation extends to the holders of Pensions, Civil as well as Military, as well as to their widows and children, without distinction of origin, who shall retain their domicile in the ceded Territory, and whose claims, paid up to 1814 by the *ci-devant* Kingdom of Italy, then fell to the charge of the Austrian treasury.

Archives, &c., belonging to non-ceded part of Lombardy, and Venetia to be handed over to Austria.

i. The Archives containing the titles of property, and documents connected with administration and civil justice, whether they relate to the part of Lombardy whose possession is reserve to His Majesty the Emperor of Austria, or to the Venetian Provinces, shall be handed over to the Commissioners of His Imperial and Royal Apostolic Majesty as soon as possible.

Archives belonging to ceded Territory to be handed over to Sardinia.

Reciprocally the titles of property, and documents connected with administration and civil justice, concerning the ceded Territory, which may be found in the Archives of the Emperor of Austria, shall be handed over to the Commissioners of His Majesty the King of Sardinia.

Documents to be reciprocally Communicated.

The Governments of Sardinia and Austria bind themselves to communicate reciprocally, on the demand of the higher administrative authorities, all the Documents and information relative to matters concerning at once Lombardy and Venetia.

Religious Societies free to dispose of their Moveable and Immoveable Property.

j. The Religious Corporations established in Lombardy, whose existence the Sardinian laws would not authorise, shall be free to dispose of their Property, both Moveable and Immoveable.

Reimbursement to France by Sardinia of Payments to be made to Austria.

ART. III. By the Additional Article to the Treaty, concluded under this day's date (**No. 301**) between His Majesty the Emperor of the French, and His Majesty the Emperor of Austria, the French Government having engaged itself towards the Austrian Government to make, on account of the new Government of Lombardy the payment of the 40,000,000 florins (*Conventionsmünz*) stipulated by Article VII of the above-mentioned Treaty, His Majesty the King of Sardinia, in accordance with the stipulations accepted by him in the preceding Article, engages to reimburse that amount to France in the following manner:

The Sardinian Government shall make over to that of His Majesty the Emperor of the French Sardinian 5 per Cent. Stock to Bearer, to the amount of 100,000,000 francs. The French Government accepts at the current exchange of the Paris Bourse of the 29th October, 1859. The Interest on this Stock shall begin in favour of France on the day of the delivery of the Title Deeds, which shall take place one month after the exchange of the Ratification of the present Treaty.

Reimbursement of 60,000,000 *Francs by Sardinia to France.*

ART. IV. In order to lessen the charges which France undertook during the last War, the Government of His Majesty the King of Sardinia engages to reimburse to the Government of His Majesty the Emperor of the French the sum of 60,000,000 francs, for the payment of which 3,000,000 5 per Cent. Stock shall be inscribed on the Great Book of the Public Debt of Sardinia. The Vouchers shall be made to the French Government which accepts them at par. The Interest of that Stock shall begin, to the benefit of France, from the day of the delivery of the Vouchers, which shall take place one month after the exchange of the Ratifications.

*Ratifications.**

ART. V. The present Treaty shall be ratified, and the Ratifications thereof shall be exchanged at Zurich within 15 days, or sooner if possible.

In testimony whereof, the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done at Zurich on the 10th day of the month of November, of the year of Grace, 1859.

(L.S.) BOURQUENEY.
(L.S.) BANNEVILLE.
(L.S.) DES AMBROIS.
(L.S.) JOCTEAU.

* Ratifications exchanged at Zurich, 21st November, 1859.

No. 303.—*TREATY OF PEACE between Austria, France, and Sardinia. Signed at Zurich, 10th November, 1859.**

ART. TABLE.

Preamble. Reference to Preliminaries of Peace of 11th July, 1859.

1. Peace and Friendship.
2. Restoration of Prisoners of War.
3. Boundary between *Italian* Provinces of *Austria* and *Sardinia*. Line of Frontier. Military Commission to trace Line of Frontier.
4. Evacuation of Territories by *Austrian* and *Sardinian* Troops.
5. *Sardinia* to pay part of *Monte Lombardo-Veneto* Debt. Part of National Loan to be paid by *Sardinia*.
6. Payments to be made by *France* to *Austria*. Reimbursements to be made to *France* by *Sardinia*.
7. Appointment of Commission for payment of *Monte Lombardo-Veneto* Debt. Division of Debts and Credits; and of Lands or Mortgages. Proportion to be paid by either Party.
8. Rights and Obligations of *Sardinia* relative to *Austrian* Contracts.
9. Reimbursements to be made by *Austrian* and *Sardinian* Governments.
10. Recognition and Confirmation by *Sardinia* of *Austrian* Railway Concessions. Railways. *Austrian* Right of Devolution transferred to *Sardinia*. Railways. Payments still due by Concessionaries to be paid in full to *Austria*. Railways. *Austria* to Pay Credits of building Contractors and Tradesmen, &c. International Service of Railways to be regulated by New Convention.
11. *Austria* not to have any right of Control or Surveillance over Railways in Territories ceded.
12. *Lombard* Subjects free to retire with their Moveables to *Austria*, and to keep their Immoveable Property in *Lombardy*. Same liberty to Lombards living in *Austria*. *Lombard* Subjects not to be molested on account of their choice. Time within which Lombards are to make their choice.
13. *Lombard* Subjects in *Austrian* Army to return to their homes. Lombards free to remain in *Austrian* Service. Civil Servants free to remain in *Austrian* Service.
14. Civil and Military Pensions to be paid by *Sardinia*. Former Civil and Military Pensioners to be paid by *Sardinia*.
15. Archives, &c., belonging to non-ceded part of *Lombardy* and *Venetia* to be handed over to *Austria*. Archives belonging to ceded Territory to be made over to *Sardinia*.
16. Religious Corporations free to dispose of their Moveable and Immovable Property.
17. Renewal of Treaties and Conventions. Treaties to be revised. Treaties, &c., to extend to ceded Territory.

* See also Treaties between Austria and France, and between France and Sardinia, of the same date.

ART. TABLE.

18. Free Navigation of Lake of *Garda*. Free Navigation of the *Po*. Convention for the prevention of Smuggling to be concluded between *Austria* and *Sardinia*.
19. Special Act to regulate Bridges, &c., on the *Mincio*, where it forms the Frontier.
20. *Austria* and *Sardinia* to enter into Arrangements relative to the bed and damming up of the *Mincio*.
21. Facilities on the Banks of the *Ticino*.
22. Non-molestation in Person or Property of Individuals implicated in late events.
23. Ratifications.

(Translation as laid before Parliament.*)

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Austria, His Majesty the Emperor of the French, and His Majesty the King of Sardinia, wishing to complete the conditions of Peace, the Preliminaries of which, arranged at Villafranca (**No. 298**), have been converted into a Treaty signed this day (**No. 301**) between His Majesty the Emperor of Austria and His Majesty the Emperor of the French, wishing further to lay down in a common Act the Territorial Cessions as they have been stipulated in the above-mentioned Treaty, as well as in the Treaty concluded this same day (**No. 302**) between His Majesty the Emperor of the French and His Majesty the King of Sardinia, have named for this purpose as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Austria, the Sieur Alois Count Karolyi of Nagy Karoly, Chamberlain and Minister Plenipotentiary, &c.; and the Sieur Otho Baron de Meysenbug, his Minister Plenipotentiary and Aulic Councillor, &c.;

His Majesty the Emperor of the French, the Sieur François Adolphe Baron de Bourqueney, Senator of the Empire, &c.; and the Sieur Gaston Robert Morin Marquis de Banneville, Officer of the Imperial Order of the Legion of Honour, &c.;

His Majesty the King of Sardinia, the Sieur François Louis Chevalier des Ambrois de Nevache, Vice-President of his Council of State, Senator and Vice-President of the Senate of the Kingdom, &c.; and the Sieur Alexandre Chevalier Jocteau, his Minister to the Swiss Confederation, &c.;

* For French version see "State Papers," vol. xlix, p. 377.

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Peace and Friendship.

ART. I. There shall be from the date of the day of the exchange of the Ratifications of the present Treaty, Peace and Amity between His Majesty the Emperor of Austria and His Majesty the King of Sardinia, their heirs and successors, their respective States and subjects, in perpetuity.

Restoration of Prisoners of War.

ART. II. The Austrian and Sardinian Prisoners of War shall be immediately returned on either part.

Boundary between Italian Provinces of Austria and Sardinia.

ART. III. In pursuance of the Territorial Cessions stipulated in the Treaties concluded this day between His Majesty the Emperor of Austria and His Majesty the Emperor of the French (**No. 301**), on one side, and His Majesty the Emperor of the French and His Majesty the King of Sardinia (**No. 302**) on the other, the Delimitation between the Italian Provinces of Austria and Sardinia shall in future be as follows:

Line of Frontier.

The Frontier, starting from the Southern Boundary of the Tyrol, on the Lake de Garda, will follow the middle of the Lake as far as the height of Bardolino and Manerba, whence it will meet, in a straight line, the point where the circle of defence of the Fortress of Peschiera intersects the Lake of Garda.

It will follow the circumference of this circle, the radius of which, reckoned from the centre of the Fortress, is fixed at 3,500 mètres, plus the distance from the said centre to the glacis of the most advanced Fort. From the point of intersection of the circumference thus designated with the Mincio, the Frontier will follow the thalweg of the river as far as Le Grazie; will stretch from Le Grazie, in a straight line, to Scorzarolo; will follow the thalweg of the Po as far as Luzzara, beyond which point no change is made in the Boundaries such as they existed before the War.

Military Commission to trace Line of Frontier.

A Military Commission, appointed by the High Contracting

Parties, will be charged with the duty of tracing the Boundary with the least possible delay.

Evacuation of Territories by Austrian and Sardinian Troops.

ART. IV. The Territories still occupied in virtue of the Armistice of the 8th of July last shall be reciprocally evacuated by the Austrian and Sardinian Troops, who shall immediately retire beyond the Frontiers determined by the preceding Article.

Sardinia to pay part of Monte Lombardo-Veneto Debt.

ART. V. The Government of His Majesty the King of Sardinia shall take upon itself three-fifths of the Debt of the Monte Lombardo-Veneto.

Part of National Loan to be paid by Sardinia.

It shall equally undertake a portion of the National Loan of 1854, fixed between the High Contracting Parties at 40,000,000 florins, "*monnaie de Convention.*"

Payments to be made by France to Austria.

ART. VI. With regard to the 40,000,000 florins stipulated in the preceding Article, the Government of His Majesty the Emperor of the French renews the engagement which it has entered into with the Government of His Majesty the Emperor of Austria, to effect the Payment of it according to the manner determined in the Additional Article* to the Treaty signed this day between the two High Contracting Powers.

Reimbursements to be made to France by Sardinia.

On the other hand, the Government of His Majesty the King of Sardinia puts again on record the engagement which it has contracted by the Treaty likewise signed to-day between Sardinia and France (**No. 302**), to reimburse this sum to the Government of His Majesty the Emperor of the French, according to the manner stipulated in Article III of the said Treaty.

Appointment of Commission for payment of Monte Lombardo-Veneto Debt. Division of Debts and Credits, and of Lands or Mortgages.

ART. VII. A Commission, composed of Delegates of the High

* Page 1390.

Contracting Parties, will be immediately formed, in order to proceed to the liquidation of the Monte Lombardo-Venetian Debt. The Division of the Debts and Credits of this establishment will be effected on the basis of three-fifths for Sardinia, and two-fifths for Austria. Of the Assets of the Sinking Fund of the Monte and its Deposits, consisting of public securities, Sardinia will receive three-fifths, and Austria two-fifths; and as to that part of the Assets which consists of Lands or Mortgages, the Commission will effect the partition with reference to the situation of the Property in question, to allot such Property, as far as possible, to that one of the two Governments upon whose Territory it may be situated.

Proportion to be paid by either Party.

As to the different categories of Debts inscribed up to 4th June, 1859, in the Monte Lombardo-Veneto, and to the capital placed at interest in the deposit bank of the Sinking Fund, Sardinia undertakes three-fifths, and Austria two-fifths, either for the payment of the interest, or the reimbursement of the capital, in accordance with the regulations hitherto in force. The Credits of Austrian subjects shall come by preference into the quota of Austria, who shall, within 3 months after the exchange of Ratifications, or sooner if possible, transmit to the Sardinian Government specific lists of these Credits.

Rights and Obligations of Sardinia relative to Austrian Contracts.

ART. VIII. The Government of His Sardinian Majesty succeeds to the Rights and Obligations resulting from the Contracts regularly stipulated by the Austrian Administration in respect of all matters of public interests specially concerning the Territories ceded.

Reimbursements to be made by Austrian and Sardinian Governments.

ART. IX. The Austrian Government will remain charged with the reimbursement of all Sums deposited by Lombard subjects, by the communes, by public establishments and religious corporations, in the Austrian public Banks, by way of caution-money, deposits, or consignments. In like manner the Austrian subjects, communes, public establishments, and religious corporations who have deposited sums of money as caution-money, deposits, or consignments in the Banks of Lombardy, will be punctually reimbursed by the Sardinian Government.

Recognition and Confirmation by Sardinia of Austrian Railway Concessions.

ART. X. The Government of His Majesty the King of Sardinia acknowledges and confirms the concessions of Railways granted by the Austrian Government upon the Territory ceded in all their clauses, and during the whole duration of the concessions, and in particular the concessions made by Contracts dated 14th March, 1856, 8th April, 1857, and 23rd September, 1858.

Railways. Austrian Right of Devolution transferred to Sardinia.

From the day of the date of the exchange of the Ratifications of the present Treaty, the Sardinian Government is invested with all the rights and subjected to all the obligations appertaining to the Austrian Government in respect of the said concessions in all that relates to the railway lines situate on the Territory ceded. In consequence, the right of Devolution which belonged to the Austrian Government in regard to these Railways is transferred to the Sardinian Government.

Railways. Payments still due by Concessionaries to be paid in full to Austria.

The Payments which remain to be made on the sum due to the State by the grantees by virtue of the Contract of 14th March, 1856, by way of equivalent for the expenses of making the said Railways, will be paid in their entirety to the Austrian Treasury.

Railways. Austria to Pay Credits of Building Contractors and Tradesmen, &c.

The credits of the Building Contractors and Tradesmen, and also the compensation money for land taken, so far as they may appertain respectively to the time when the Railways in question were administered for the account of the State, and which have not hitherto been paid, will be borne by the Austrian Government, and, in so far as they may be due from them by virtue of the concession, by the grantees in the name of the Austrian Government.

International Service of Railways to be regulated by new Convention.

A special Convention will regulate, with as little delay as possible, the international service of the Railways between Sardinia and Austria.

Austria not to have any Right of Control or Surveillance over Railways in Territories ceded.

ART. XI. It is understood that the recovery of the Credits under paragraphs 12, 13, 14, 15, and 16 of the Contract of 14th March, 1856, shall not confer upon Austria any right of Control or Surveillance in the construction and working of the Railways in the Territories ceded. The Sardinian Government undertakes, for its part, to furnish the Austrian Government with all the information which it may require on this head.

Lombard Subjects free to retire with their Moveables to Austria, and to keep their Immoveable Property in Lombardy.

ART. XII. The Lombard Subjects domiciled on the ceded Territory shall enjoy for the space of one year, commencing with the day of the exchange of the Ratifications, and conditionally on a previous Declaration before the competent authorities, full and entire permission to export their Moveables, free of duty, and to withdraw with their families into the States of His Imperial and Royal Apostolic Majesty, in which case their quality of Austrian Subjects shall be retained by them. They shall be free to preserve their Immoveable property, situated on the Territory of Lombardy.

Same Liberty to Lombards living in Austria.

The same permission is accorded reciprocally to Individuals, Natives of the ceded Territory of Lombardy, established in the States of His Majesty the Emperor of Austria.

Lombard Subjects not to be molested on account of their choice.

The Lombards who shall profit by the present arrangements shall not be, on account of their choice, disturbed on one side or on the other, in their persons or in their properties situated in the respective States.

Time within which Lombards are to make their choice.

The delay of one year is extended to two years, for the Subjects, Natives of the ceded Territory of Lombardy, who, at the time of the exchange of the Ratifications of the present Treaty, shall be beyond the Territory of the Austrian Monarchy. Their Declaration may be received by the nearest Austrian Mission, or by the superior authorities of any province of the Monarchy.

Lombard Subjects in Austrian Army to return to their Homes.

ART. XIII. The Lombard subjects forming part of the Austrian Army, with the exception of those who are natives of the part of the Lombard Territory retained by His Majesty the Emperor of Austria, shall be immediately set free from Military Service and sent back to their homes.

Lombards free to remain in Austrian Service.

It is understood that those who declare their wish to remain in the service of His Imperial and Royal Apostolic Majesty shall not be disturbed on that account, either in their persons or in their properties.

Civil Servants free to remain in Austrian Service.

The same guarantees are given to persons in Civil Employments, natives of Lombardy, who shall manifest their intention of retaining the offices which they hold in the service of Austria.

Civil and Military Pensions to be paid by Sardinia.

ART. XIV. Pensions, Civil as well as Military, regularly paid, and which were charged on the public revenue of Lombardy, remain in the possession of those who are entitled to them, and when there is occasion, to their widows and their children, and shall be paid in future by the Government of His Sardinian Majesty.

Former Civil and Military Pensioners to be paid by Sardinia.

This stipulation extends to the holders of Pensions, Civil as well as Military, as well as to their widows and children, without distinction of origin, who shall retain their domicile in the ceded Territory, and whose claims, paid up to 1814 by the *ci-devant* Kingdom of Italy, then fell to the charge of the Austrian Treasury.

Archives, &c., belonging to non-ceded part of Lombardy, and Venetia to be handed over to Austria.

ART. XV. The Archives containing the Titles of Property, and Documents connected with administration and civil justice, whether they relate to the part of Lombardy whose possession is reserved to His Majesty the Emperor of Austria, or to the Venetian Provinces, shall be handed over to the Commissioners of His Imperial and Royal Apostolic Majesty as soon as possible.

Archives belonging to Ceded Territory to be made over to Sardinia.

Reciprocally the Titles of Property, and Documents connected with administration and civil justice, concerning the ceded Territory, which may be found in the Archives of the Emperor of Austria, shall be handed over to the Commissioners of His Majesty the King of Sardinia.

The Governments of Sardinia and Austria bind themselves to communicate reciprocally on the demand of the higher administrative authorities, all the documents and information relative to matters concerning at once Lombardy and Venetia.

Religious Corporations free to dispose of their Moveable and Immoveable Property.

ART. XVI. The Religious Corporations established in Lombardy, whose existence the Sardinian laws would not authorise, shall be free to dispose of their Property, both Moveable and Immoveable.

Renewal of Treaties and Conventions. Treaties to be revised.

ART. XVII. All the Treaties and Conventions concluded between His Majesty the King of Sardinia and His Majesty the Emperor of Austria which were in force before the 1st April, 1859, are confirmed in as far as they are not modified by the present Treaty. At the same time the two High Contracting Parties bind themselves to submit, within the term of a year, these Treaties and Conventions to a general revision, in order to introduce into them by common agreement, such modifications as shall be considered in accordance with the interests of the two countries.

Treaties, &c., to extend to ceded Territory.

In the meanwhile these Treaties and Conventions are extended to the Territory recently acquired by His Majesty the King of Sardinia.

Free Navigation of Lake of Garda. Free Navigation of the Po.

ART. XVIII. The Navigation of the Lake of Garda is free, except as regards the special regulations of the Ports and the Water Police. The liberty of Navigation of the Po and its affluents is maintained in accordance with the Treaties (**Nos. 212, 213, 216**).

Convention for the Prevention of Smuggling to be concluded between Austria and Sardinia.

A Convention designed to regulate the measures necessary to prevent and repress smuggling in these waters will be concluded between Sardinia and Austria, in the term of one year, to date from the exchange of the Ratifications of the present Treaty. In the meanwhile the arrangements stipulated in the Convention of the 22nd November, 1851,* for the repression of smuggling on the Lake Maggiore, the Po, and the Ticino, shall be applied to the navigation; and during the same interval no innovation shall be made in the regulations and the rights of navigation in force with regard to the Po and its affluents.

Special Act to regulate Bridges, &c., on the Mincio where it forms the Frontier.

ART. XIX. The Sardinian Government and the Austrian Government bind themselves to regulate, by a special Act, all that relates to the ownership of, and the maintenance of the bridges and passages on the Mincio, where it forms the Frontier, and to such new buildings as may be made in that respect, the expenses which may result from them, and the taking of the Tolls.

Austria and Sardinia to enter into Arrangements relative to the Bed and Damming up of the Mincio.

ART. XX. Where the Valley of the Mincio shall henceforth mark the Frontier between Sardinia and Austria, the buildings intended for the rectification of the Bed and the Damming up of that River, or which shall be of a nature to alter its current, shall be made by common agreement between the two adjoining States. An ulterior arrangement will regulate this matter.

Facilities on the Banks of the Ticino.

ART. XXI. The inhabitants of the adjoining districts shall enjoy reciprocally the Facilities which were formerly assured to the dwellers on the Banks of the Ticino.

Non-molestation in Person or Property of Individuals implicated in late Events.

ART. XXII. In order to contribute, with all their efforts, to

* Relative to Contraband.

the pacification of men's minds, His Majesty the King of Sardinia and His Majesty the Emperor of Austria declare and promise that, in their respective Territories, and in the Countries restored or ceded, no Individual compromised on the occasion of the late events in the Peninsula, of whatever class or condition he may be, shall be prosecuted, disturbed, or troubled in his person or in his property, on account of his political conduct and opinions.

Ratifications.

ART. XXIII. The present Treaty shall be ratified, and its Ratifications exchanged at Zurich in the space of 15 days, or sooner if possible.

In faith of which the respective Plenipotentiaries have signed and sealed it.

Done at Zurich, on the 10th day of the month of November, in the year of Grace, 1859.

(L.S.) KAROLYI.
(L.S.) MEYSENBUG.
(L.S.) BOURQUENEY.
(L.S.) BANNEVILLE.
(L.S.) DES AMBROIS.
(L.S.) JOCTEAU.

[In March, 1859, Proposals were made by Russia for the assembling of a European Congress to settle the Affairs of Italy. The British Government expressed its willingness to join such a Meeting, although preferring a Conference, provided a fixed basis was previously agreed upon; and the following 4 points were mentioned for discussion (19th March, 1859) :—

1. Evacuation.
2. Reform.
3. Security of Sardinia against Austrian attack.
4. Substitution of a plan for the internal security of the small States, in place of the Treaties with Austria of 1847 (**Nos. 206, 208**).

It was understood that the Territorial Arrangements of Europe, as fixed by the Treaty of 1815, should not be interfered with.

A 5th Point was subsequently proposed by Austria (31st March, 1859), namely, that an agreement should be come to with regard to a simultaneous Disarmament by the Great Powers.

Insuperable difficulties presented themselves, and the Congress was not held.]

No. 304.—*DECLARATION between the Plenipotentiaries of Austria and France, declaring the Renunciation by Austria of the right of Garrison of the Fortresses of Placentia, Ferrara, and Commachio. Zurich, 10th November*, 1859.

(Translation.*)

Present: The Plenipotentiaries of Austria and France.

THE Dispositions of the Treaty signed this day (**No. 301**), between Austria and France, having settled on new Bases, the relations between the different States of Italy, the Plenipotentiaries of Austria have declared that the intention of their Sovereign was to renounce to the Right of Garrison of the Fortresses of Placentia, Ferrara, and Commachio, such as it had been stipulated by the Final Act of the Congress of Vienna (**No. 27**), and by the Treaty of Paris of 10th June, 1817 (**No. 73**).

The Plenipotentiaries of France made a note of this Declaration.

In faith of which the Plenipotentiaries have signed the present Protocol.

Done at Zurich, 10th November, 1859.

BOURQUENEY.	KAROLYI.
BANNEVILLE.	MEYSENBUG.

* For French version, see "State Papers," vol. l, p. 1016.

No. 305.—*DECLARATION between the Plenipotentiaries of Austria and France, declaring the Italian Provinces of Austria, which are to form part of the Italian Confederation. Zurich, 10th November, 1859.*

(Translation.*)

Present: The Plenipotentiaries of Austria and France.

With the view of allowing no doubt to exist on the meaning of the engagement taken by His Imperial and Royal Majesty to favour, by common consent with His Majesty the Emperor of the French, the creation of an Italian Confederation, the Austrian Plenipotentiaries declare that it is well understood that the Italian Provinces of His Imperial and Royal Majesty which shall have to form part of the Italian Confederation, are composed of the Venetian Kingdom, within its actual Limits, and the part of Lombardy reserved to the Imperial Crown by the Treaty of Peace of 10th November, 1859† (**No. 301**), and that no Property or Territory possessed by His Imperial Majesty beyond the said Countries, can be claimed for the Confederation in question.

The French Plenipotentiaries made a note of this Declaration.

In faith of which the Plenipotentiaries have signed the present Protocol.

Done at Zurich, 10th November, 1859.

BOURQUENEY. KAROLYI.
BANNEVILLE. MEYSENBUG.

* For French version, see "State Papers," vol. l, p. 1017.
† Article XVIII.

No. 306.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Austria, France, and Sardinia. Signed at Zurich, 21st November, 1859.*

(Translation.*)

Interpretation of Article IV† of the Treaty of Peace of 10th November, 1859, relative to the Delimitation along the Po.

On the exchange of the Ratifications of the Treaty of Peace concluded between France and Austria (**No. 301**), a careful study of Article IV of that Treaty points out a passage, the compilation of which might give rise to a misunderstanding, or at least to a doubtful interpretation.

In that paragraph, beginning with the words "This circle will be determined by a circumference," it is said "the Frontier will follow the thalweg of the River (Mincio), as far as Le Grazie, will extend from Le Grazie in a straight line to Scorzarolo, will follow the thalweg of the Po to Luzzara."

According to its usual acceptation, the expression quoted above "will follow the thalweg of the Po," would mean will descend the course of the River. Therefore as Luzzara does not proceed upwards, but down from the point of Scorzarolo, the expression "will proceed up the thalweg of the Po," instead of "will follow," appears to be more correct and to indicate in a more positive manner that part of the new Delimitation of the Frontier.

With a view of preventing every uncertainty which might arise from the compilation adopted in the Treaty, and to re-establish in all its clearness the sense to be attached to the above passage of Article IV, the Plenipotentiaries of France and Austria have agreed to record in this Protocol the above explanation.

In testimony whereof, the Plenipotentiaries have signed the present Protocol.

Done at Zurich, 21st November, 1859.

BOURQUENEY.	KAROLYI.	DES AMBROIS.
BANNEVILLE.	MEYSENBUG.	JOCTEAU.

* For French version, see "State Papers," vol. l, p. 1019.
† Page 1383.

No. 307.—*PROTEST of the Swiss Government against the Annexation of the Districts of Savoy (Chablais, Faucigny, and the Genevese) to France. Paris, 15th March, 1860.**

The Swiss Minister in Paris to the British Ambassador in Paris.

(Translation as laid before Parliament.)

M. LE MINISTRE, Paris, 15th March, 1860.

IN compliance with a despatch from Berne, it is my duty to inform your Excellency that the Federal Council has addressed to His Majesty the King of Sardinia a Note, in which it demands the observation of the stipulations of the Treaty of 1564, confirmed by the Treaty of the 16th March, 1816 (**No. 52**), between Sardinia and Switzerland, so far as they affect the Cession of the existing Savoyard Territory to another Power.

I must observe, that my Government most distinctly regards any Annexation of the Neutralised Provinces of Chablais, Faucigny, and the Genevese to another Power as being in contradiction to the stipulations of the Treaties of 1815, which guarantee those Provinces, in the interest of Swiss Neutrality, as if they were an integral portion of the Confederation, declaring "that they are to benefit by the Neutrality of Switzerland in the same way as if they belonged to her."

Meanwhile, my instructions impose on me the duty, referring to the reasons which I had the honour to state to you at the audience which you were good enough to grant me on the 13th of March, to protest formally, in the name of the Swiss Confederation, against any measure which should have for its object the annexation of those Provinces to France, until the Powers of Europe, to whom the Imperial Government itself has declared its desire to submit this question, shall have pronounced their opinion.

I avail, &c.,

Earl Cowley. KERN.

* On the 11th and 14th March, 1860, the Swiss Federal Council also addressed Notes to the Sardinian Government protesting against any vote of the people of Savoy, or any act of the Sardinian Government, which might tend to alter the existing condition of Savoy, without consideration being paid to the rights which Switzerland possesses to those parts of Savoy which are neutralised. See also Treaty between France and Sardinia of 24th March, 1860, Article II, respecting conditions of transfer to France of Neutralized Portions of Savoy; and further, Swiss Protest of 28th March, 1860.

No. 308.—*DECREE of the King of Sardinia, constituting the Provinces of Emilia (Bologna, Ferrara, Forli, Massa and Carrara, Modena,* Parma,† Placentia, Ravenna, and Reggio), a part of the Kingdom of Sardinia. Turin, 18th March,* 1860.

(Translation.)

Victor Emanuel II, King of Sardinia, of Cyprus, and of Jerusalem, &c., Duke of Savoy and of Genoa, &c., Prince of Piedmont, &c. ;

Considering the result of the Universal Suffrage of the Emilian Provinces, proving their unanimous desire to be united to our State :

Having consulted our Ministers, we now decree :

Art. I. The Provinces of Emilia shall make an integral part of the State from the day of the date of the present Decree.

Art. II. The present Decree shall be presented to Parliament to be converted into law.

Our Ministers are charged with the execution of the present Decree, which, furnished with the Seal of State, shall be inserted in the collection of Government Acts, and be published in the Provinces of Tuscany.

Given at Turin, 18th March, 1860.

VICTOR EMANUEL.

C. Cavour and 5 others.

* See Protest of Duke of Modena of 22nd March, 1860.

† See Protest of Duchess Regent of Parma, 28th March, 1860.

No. 309.—*DECREE of the King of Sardinia, uniting Tuscany to the Kingdom of Sardinia*. Turin, 22nd March,* 1860.

(Translation.)

Victor Emanuel II, King of Sardinia, of Cyprus, and of Jerusalem, &c., Duke of Savoy and of Genoa, &c., Prince of Piedmont, &c.;

Considering the result of the Universal Voting of the Provinces of Tuscany, by which it is shown that the general wish of the population there is to be united to our State;

Having heard our Council of Ministers, we have decreed and do decree:

Art. I. The Provinces of Tuscany shall form an Integral Part of the State from the day of the date of the present Decree.

Art. II. The present Decree shall be presented to Parliament to be converted into law.

Our Ministers are charged with the execution of the present Decree, which, furnished with the Seal of State, shall be inserted in the collection of Government Acts, and be published in the Provinces of Tuscany.

Given at Turin, 22nd March, 1860.

VICTOR EMANUEL.

C. Cavour and 5 others.

* See Protest of Grand Duke of Tuscany, of 24th March, 1860.

No. 310.—*PROTEST of the Duke of Modena against the Annexation of the Duchy of Modena to the Kingdom of Sardinia. Vienna, 22nd March,* 1860.

(Translation.*)

We, Francis V, Archduke of Austria, Prince Royal of Hungary and Bohemia, by the Grace of God, Duke of Modena, Reggio, Mirandole, Massa, Carrara, Guastalla, &c.

The events which occurred during the last few days of April, 1859, in the Grand Duchy of Tuscany, and the attitude of Sardinia, which had then become more openly hostile towards us, having constrained us to concentrate our Military Forces, by removing them from that part of the Duchy bordering on those two States, we protested, on the 14th May, 1859, against the iniquitous usurpation of those Provinces, which the Piedmontese Government, immediately after the departure of our Troops, soon accomplished.

The events of the War in Lombardy, the Revolution already consummated at Parma, the imminence of that of the Legations, the violation by the French Troops of our Territory on the Frontier side of Tuscany, obliged us to retire with most of our remaining Troops from our States, convinced of the impossibility of maintaining ourselves as an Independent Sovereign in the face of enemies immensely superior in numbers and means.

The revolutionary faction directed and maintained in every way by the Sardinian Government, succeeded in overthrowing the Regency which we had appointed by Decree of the 11th June, 1859; and a Piedmontese Commissioner at Nice seized the reins of Power and placed himself at the head of the Revolution. We then addressed, from Villafranca, a second Protest, on the 22nd June, 1859, in which, whilst pointing out the spoliations committed by the Government of Sardinia to the prejudice of our Rights of Sovereignty, we alluded to the Declarations already issued on the nullity of Acts, which every Government or Power,

* For French Version, see "State Papers," vol. lvii, p. 1030.

not emanating from us, might have published in our States, and we thereon appealed to Friendly and Allied Courts.

The Armistice of Villafranca having put an end to Hostilities between Austria and France, the Belligerent Powers signed the Preliminaries of Peace (**No. 298**), which were afterwards converted by the Treaty of Zurich (**No. 301**) to the height of solemn Stipulations, and both in the first and in the second, the re-establishment of our Sovereignty was openly and incontestably agreed upon, so that our Rights received thereby a striking and ulterior sanction.

All the world knows how the French Government impeded, by its Acts and interpretations, the possibility of our restoration, and how the Sardinian Government, although also a signitary of the Treaty of Zurich, continued disloyally by its Organs and Representatives, whatever might be their name, to dispose of our State as masters, and assimilate it to its own.

The recent Decree of Annexation (**No. 308**), which it is carefully made to appear as the consequence of a supposed Universal Voting, and which, extending itself also to Emilia, comprises our States also, completes the series of unjust and illegal acts by which the Sovereignty which we have inherited from our ancestors has been taken from us, after having exercised it for several centuries; Sovereignty which, after events analogous to the present, was by the Treaty of Vienna of 1815 (**No. 27**) recognised and reinstated in favour of our Family by the whole of Europe, happily then coalesced and triumphant over the Revolution.

We therefore consider that we are performing a most sacred duty in protesting, as we again Protest, in the face of Europe, against an Act which infringes on all our Rights, after having been based on violence, and after profiting from the victories of a powerful Ally to attain a development so long coveted, and prepared by fraudulent and deceptive means, against an Act based upon a principle contrary to every dynastic system; in short, against an Act wanting in its execution every guarantee of good faith, having been conceived, followed out, and controlled by the very persons who had excluded the wish in favour of the legitimate and pre-existing Power, by those, we repeat, who supported by a numerous force constantly kept in our States, used deceit and intimidation in order to exercise an overwhelming pressure over the popular Vote.

The faithful Troops which followed us on the Territory of

His Majesty the Emperor of Austria, who has received them in such a generous and hospitable manner, those Troops which do not cease to evince their unshaken faith and devotion towards us; the number of distinguished persons who by their voluntary emigration, protested against the change of dominion in our States; the still greater number of those who submitted to imprisonment, vexations of all kinds, and the loss of their offices, or who spontaneously resigned their public posts, exposing themselves sometimes to privations rather than deny their principles, or to fail in their duties as faithful subjects; the absence from all participation in the actual conditions, which marked the great majority of the higher classes of Modena and of the clergy; in short the frequent manifestations of fidelity which burst forth in the rural districts, notwithstanding the most active watchfulness, and although quickly put down, are so many proofs that that pretended Universal Suffrage, from which the Sardinian Usurpation borrows an appearance of legality, is the result only of that treachery and of that restraint which, from the beginning, distinguished the conduct of the Piedmontese Government and their adepts.

This solemn Declaration which we also make for our Successors, has principally for its object to Protest against every attack levelled against our Rights of Sovereignty which belong to us by order of descent, and which have been sanctioned and guaranteed by the European Powers. We again Protest against the actual spoliations, against the consummated Usurpations, against the Universal Suffrage adopted or simulated for that purpose, against the Losses which we have suffered thereby, and against those which we may still have to suffer, in short against all the Losses and Injuries to which that part of our faithful subjects might be exposed in consequence of those unjust and illegal acts.

We wish to have recourse, and we once more call for the assistance of the Guaranteeing Powers, certain as we feel that they will never admit either of the Right of the Strongest, or of the theory of the supposed Universal Suffrage; since such a principle, although now applied to one of the small States (whose Rights are nevertheless as sacred as those of the greatest), might afterwards, by analogy, extend itself to all the others, and thus attack the existence of all the Monarchies of Europe.

Impressed with the feelings of our Duty towards our faithful

Subjects, we finally declare that no adversity shall ever make us renounce our Rights of Sovereignty over our States; and convinced that we are thus performing the duties confided to us by Divine Providence, we will await future events in the full hope that the justice of God will put a period to the machinations of which the States and the Peoples are the victims, in one day ensuring the triumph of the good cause.

Vienna, 22nd March, 1860.

FRANCOIS.

No. 311.—*PROTEST of the Pope against the Annexation of the Romagna, &c., to Sardinia. Rome, 24th March,* 1860.

(Translation as laid before Parliament.)

The intrigues of the Revolutionary Party became more audacious during the late War, and they have now gathered the fruit which they for a long time they aimed at, that is to say, the Rebellion of the Central States of the Peninsula and of the Romagna, and the aggrandizement of Piedmont by the spoils of their legitimate Sovereigns. In the midst of such painful events, the conviction of the Holy Father did not waver that considerations of high regard to religion and justice would arrest their progress. However, facts rapidly succeeding each other proved, without doubt, that every duty and every respect for the High Pontiff, the Vicar of Jesus Christ, being forgotten, rights the most sacred were trodden under foot, and premeditated designs pushed to the utmost verge of hardihood, it was intended to finish the work by the spoil of a notable part of the Temporal Dominions of the Holy See.

By the Decree published in Bologna on the 1st instant, the populations of the Emilia were compelled to give their Votes in favour of Piedmont, and every art was used, and every violence employed, and a thousand cunning artifices were resorted to, so that the votes should be in accord with the premeditated aim.

The recognition thereupon of such a Vote declared by King Victor Emanuel on the 18th instant (**No. 308**) filled the soul of the Holy Father with grief, as he saw a manifest Usurpation accomplished, detrimental to the Church, and by a Catholic Sovereign, heir to a throne already illustrious by holy Monarchs.

In consequence, His Holiness, through the obligations incumbent upon him to preserve and defend the Rights of his Temporal Power has given orders to the undersigned Cardinal Secretary of State to Protest against the accomplished spoliation and violation of the incontestable Rights of the Holy See, Rights which His Holiness intends to maintain in their integrity; and not recognising, but, on the contrary, declaring as null, because usurped and illegal, everything that has been done, and may hereafter be done, by Piedmont in the said Provinces.

Then the movement begun with the Catholics, from the very first attempts on the Temporal Dominions of the Church, persuades the Holy Father will further prevent the Sovereigns from recognising this sacrilegious and fraudulent act of usurped Sovereignty.

The Undersigned, in requesting your Excellency to bring to the knowledge of your Government this Protest, has also to add, that the Holy Father is confident that the co-operation of your Government will not fail him, to put at last an end to a spoliation against which also the Right of Nations highly Protests.

I avail, &c.,

GIACCOMO CARDINAL ANTONELLI.

No. 312.—*PROTEST of the Grand Duke of Tuscany against the Annexation of the Grand Duchy of Tuscany to the Kingdom of Sardinia. Dresden, 24th March,* 1860.

(Translation.)

During the long and painful interval between the 27th April, 1859, and the present day, while flattered by the hope that real love of country, a feeling of what is just and honest, the faith of Treaties, the word of Princes, might avail to arrest the course of the work of ruin, which, under the cloak of improving the welfare of Italy, is about to involve it in extreme dangers, we have studiously abstained from interfering in this serious conflict, in the confidence that the first word we should address to our People ought to be one of entire oblivion of the past, and the harbinger of a new era of the general welfare. But the acts now consummated by the active conspiracy which, under the shelter of the Crown of Savoy, has involved within its meshes all Central Italy, and has sacrificed to dynastic ambition everything that is most sacred on the earth, impose upon us the duty of raising our voice, as an Italian Sovereign, appealing to the Potentates of Europe, both for the Defence of our Rights trodden down, and for the interests of our dear Tuscans, and of the whole Nation.

When, at the beginning of 1859, the correspondence between the French and Sardinian Cabinets on the one hand, and the Austrian on the other, had reached such a point that the breaking out of Hostilities might be looked upon as probable, the Grand Ducal Government, faithful to the policy which it had hitherto maintained during occurrences of a like nature, proposed and required its own Neutrality of the Cabinets of Vienna, Paris, and London. This being assented to by the former, was in the way of being recognised by the others when the events of the 27th of April occurred.

The Action of Diplomacy was then replaced by that of Revolution, which had been for a long time in preparation by the Piedmontese Government, as it is proved by the arrival in Florence on the evening before the 27th April, and on the morning of that day, of persons who, being then in the Sardinian service, came to guide the Revolution, and to take the command of the troops of the Grand Duchy.

Our august Father, the Grand Duke Leopold II, in this way, at once, was in the presence of the imperious demands of the Revolution. Although he was aware that the results of the War now declared would not wholly depend on the attitude of Tuscany, and that the Neutrality he had invoked would be the best guarantee for the interests of the State, whatever might be the result of that great struggle; nevertheless, desiring to preclude the path to internal discords, he called to himself the Marquis Lajatico, who was pointed out by the public voice as the acceptable organ of conciliation, committed to him the formation of a new Ministry, and referred to him that course of Home and Foreign Policy which should appear most suitable to such a serious emergency. The Marquis Lajatico responded to his call, and went out of the Palazzo Pitti with the acceptance of the charge conferred upon him.

The place where, and the advisers from whom, he proceeded to ask for guidance, were the Sardinian Embassy, and the Leaders of the Insurrection who had taken up their head-quarters in it. The demand for the Abdication of His Imperial Highness the Grand Duke Leopold II was then discussed by them, and the Marquis Lajatico, who in accepting a charge from his Prince had in that very act undertaken the maintenance and defence of his authority, was not ashamed to become, instead, the bearer of this new proposition.

The demand of Abdication put forward at the very moment when the Prince was in the act of yielding to the demands which had been made by the authors of the Revolution, placed him in one of those extreme cases in which it is necessary to consider solely one's own dignity; the defence of which implies that of the real Interests of the Nation.

His Imperial and Royal Highness the Grand Duke rejected the insulting proposition, and protesting before the Corps Diplomatique against the violence used towards him, he determined on the only act then proper for him, namely, to withdraw from the country where he was prevented from exerting his Sovereign authority, and even not allowed to make public his Sovereign ordinances.

The events of the War led to the Armistice, and the Preliminaries of Peace of Villafranca (**No. 298**), which, being subscribed by His Majesty the King of Sardinia, were to the effect that the Sovereigns who were unconnected with the Revolution should

return to their States, and should co-operate in an Italian Confederation, which, by inaugurating a new order of things, should introduce European public law into Italy.

His Imperial and Royal Highness the Grand Duke Leopold II, anxious that past differences should not disturb the harmony of his beloved country, generously and spontaneously abdicated the Crown on the 21st July, and nearly the whole of Europe acknowledged in our person the legitimate Sovereign of Tuscany.

As a son and subject, always obedient to the commands of our august parent and Sovereign, we accepted on that day all the prerogatives and responsibilities of a Grand Duke; from that day we, by the sacred Rights transmitted through the Act of Abdication of Grand Duke Leopold, became the legitimate Prince of Tuscany, to which wise conditions of internal liberty and national federation were guaranteed by His Majesty the Emperor Napoleon.

The Rights acknowledged, and the Guarantees established, by the Preliminaries of Villafranca (**No. 298**), subsequently received a new sanction by the Treaty of Zurich (**No. 301**), which completed those Preliminaries; that Treaty also was signed by His Majesty the King of Sardinia (**No. 303**).

In the sole interval of time which elapsed between those two Acts, the Government of Tuscany, subservient to Piedmont, by which its illegal origin was admitted, working in the interests of the latter, and employing all the means which are at the disposal at all times of a constituted Power, setting aside the real welfare of the Country, and the general benefit of all Italy, which was to be found only in the idea of a Federation proposed by His Majesty the Emperor of the French, proceeded to convoke an Assembly to vote, as it did vote, the Annexation of Tuscany to Piedmont.

But what is still more serious, and what we denounce to the opinion of the whole world (*coscienza universale*) is this; that although the Piedmontese Government was bound by the signature of its King, written both at Villafranca and at Zurich, not to interpose any obstacle to the restoration of our authority, yet it excited, favoured, and accepted the Vote of Cession promoted by its own tools, violating every principle of right, and ignoring the example of the magnanimous Emperor of the French, who, fully conscious of the obligations contracted together with his Royal Ally, advised the Tuscans to hear, and His Majesty the King himself to favour, the plan which should conciliate the interests of Italy.

And now, in the very time when the Emperor, before the representatives of the French nation, and in the face of all Europe, more solemnly than ever, admonished the King of Sardinia to abstain from an aggressive and hazardous policy, the latter, under the ægis of the French army, which has once saved him, and which he now thanks by hoisting its generous banner, proceeds to the consummation of a long and laborious conspiracy, exposing the Emperor Napoleon to the suspicion that he connived at it, and that he himself had failed knowingly in his sacred word sworn at Villafranca when he considered it expedient to propose the Peace that was agreed upon, under an explicit Declaration that what has now occurred should not occur.

We, then, being under an imperious obligation to defend our Rights, raise our voice to Protest on the Nullity of the Acts consummated by an illegal Government; to Protest against the consequences which are or may be inferred from those Acts by him who has recognised and reserved our Rights by solemn Treaties; to Protest before the whole world against that violation of public faith which imperils the existence of civil society; and this we do by the obligation incumbent on him who is born on the Throne to defend the Privileges thereof, as the principle of order in human society—as the anchor of safety in the rude conflict of unbridled passions.

We appeal for our Right to all Sovereigns, who must recognise in our cause the interests of their own; and especially to His Majesty the Emperor of the French, who, after ourself, is chiefly offended by the acts which are consummated under his power, and in scorn (*onta*) of his words.

We also appeal to you, our beloved Subjects in Tuscany, who for more than a century have called yourselves happy under the rule of our House, who have grown in the estimation of all Europe, and who can still boast of institutions which place you in superiority to many others.

To you, who do not share in the guilt of the wicked thoughts of your seducers, who, in order to vanquish those in-born feelings which have long made you abhor this change, have persuaded you that your annexation to the Sardinian Kingdom will be sufficient to place you in the position of resisting the perils which might hereafter menace you. Undeceive yourselves: to resist the preponderance of mighty Empires, there is no other means within our reach but the guardianship of public law, or the concurrence of the

whole nation. But this you are making impossible by exciting in the southern part of Italy a fear which is but too just, and by forcing it, therefore, to a continual antagonism. Instead of constituting a nation, you divide the nation for ever; and on the day when, whether by artifice or by force, the attempt should be made to effect there what is consummated in the Central part, torrents of civil blood would flow, and miserable Italy will be again exposed to the scorn of the foreigner. It was the province of us Tuscans to take the part of Peace-makers and Mediators between those noble Provinces of our common Country; it was our duty to render interests and feelings common to all; it would be our glory to promote and cement the Italian Confederation. The guilt of a few and the generous error of the many have placed in the path of that good work an obstacle which cannot be eternal, and which your virtue, tempered by the sufferings which await you, will powerfully avail to remove.

In the meantime, O, my beloved Tuscans, as long as our temporary separation shall continue, of this you may be perfectly assured, that as we hold dear and inviolable the love which so many of you retain to us unaltered, our whole care shall be centred in your welfare, and in preparing ourself for contributing thereto on that day when the injustice which has fallen upon us shall cease.

FERDINAND.

No. 313.—*TREATY between France and Sardinia, for the Annexation of Savoy and Nice to France. Signed at Turin, 24th March, 1860.**

ART.
Preamble.
1. Union of *Savoy* and *Nice* to *France*.
2. Conditions of Transfer to France of Neutralised Portions of *Savoy*. Reference to *Vienna* Congress Treaty.
3. Appointment of Mixed Boundary Commission.
4. Contributions of *Savoy* and *Nice* towards the Public Debt of *Sardinia*.
5. Rights of Civil Servants and Soldiers of *Savoy* and *Nice*.
6. Nationality of Subjects of *Savoy* and *Nice*. Preservation of Immoveable Property in ceded Territories.
7. Execution of Treaty by *Sardinia*.
8. Ratifications.

(Translation as laid before Parliament.†)

HIS Majesty the Emperor of the French having explained the considerations which, in consequence of the changes which have arisen in the Territorial relations between France and Sardinia, caused him to desire the Annexation of Savoy and the Arrondissement of Nice (*Circondario di Nizza*) to France, and His Majesty the King of Sardinia having shown himself disposed to acquiesce in it, their said Majesties have decided to conclude a Treaty for that purpose, and have named as their Plenipotentiaries:

His Majesty the Emperor of the French, Baron de Talleyrand-Périgord, &c.; and M. Vincent Benedetti, &c.; and His Majesty the King of Sardinia, His Excellency Count Camille Benso de Cavour, &c.; and His Excellency the Chevalier Charles Louis Farini, &c.;

Who, after having exchanged their Full Powers found to be in good and due form, have agreed upon the following Articles:

Union of Savoy and Nice to France.

ART. I. His Majesty the King of Sardinia consents to the Annexation of Savoy and the Arrondissement of Nice (*Circondario di Nizza*) to France; and renounces for himself, and all his Descendants and Successors, in favour of His Majesty the Em-

* See also Swiss Protest of 28th March, 1860; and Treaties between France and Sardinia of 23rd August, 1860, and 7th March, 1861.

† For French version, see "State Papers," vol. l, p. 412.

peror of the French, his Rights and Titles over the said Territories. It is understood between their Majesties that this Annexation shall be effected without any constraint of the wishes of the Populations, and that the Governments of the Emperor of the French and of the King of Sardinia will concert as soon as possible upon the best means of appreciating and verifying the manifestations of those wishes.

Conditions of Transfer to France of Neutralised Portions of Savoy. Reference to Vienna Congress Treaty.

ART. II. It is equally understood that His Majesty the King of Sardinia cannot transfer the Neutralised Parts of Savoy, except on the conditions upon which he himself possesses them, and that it will appertain to His Majesty the Emperor of the French to come to an understanding on this subject, both with the Powers represented at the Congress of Vienna, and with the Swiss Confederation, and to give them the Guarantees required by the Stipulations referred to in this Article.*

Appointment of Mixed Boundary Commission.

ART. III. A Mixed Commission shall determine, in a spirit of equity, the Frontiers of the two States, taking into account the configuration of the Mountains and the requirements of defence.†

Contributions of Savoy and Nice towards the Public Debt of Sardinia.‡

ART. IV. One or more Mixed Commissions shall be charged to examine and resolve as soon as possible the various incidental questions to which the Annexation will give rise, such as the settlement of the share to be contributed by Savoy and the Arrondissement of Nice (*Circondario di Nizza*) towards the Public Debt of Sardinia, and the execution of the obligations resulting from Contracts entered into with the Sardinian Government, which Government, however, reserves the right of itself terminating the labours undertaken for boring the Tunnel of the Alps (Mont Cenis).§

* See French Proposals of 20th June, 1860; and British Reply of 25th June, 1860.

† See Treaty of 7th March, 1861.

‡ See Convention of 23rd August, 1860.

§ A Convention on the subject was concluded on the 23rd August, 1860.

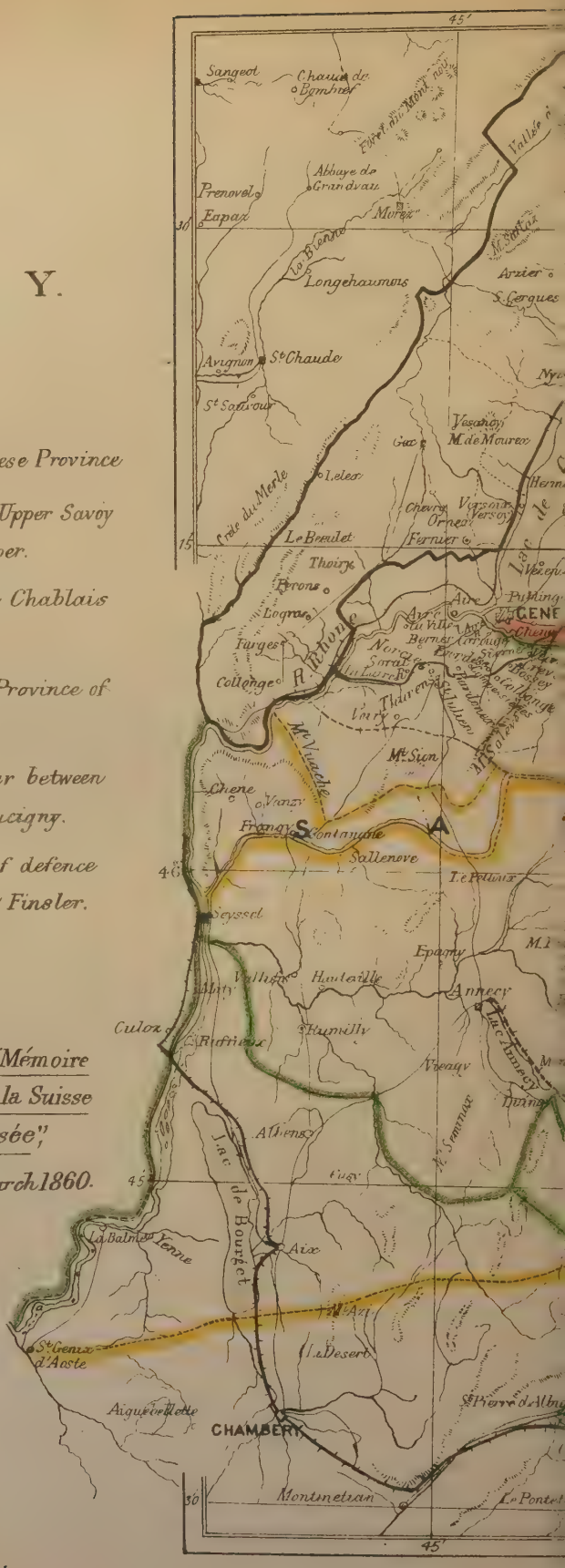
MAP
OF
SAVOY,
1860.

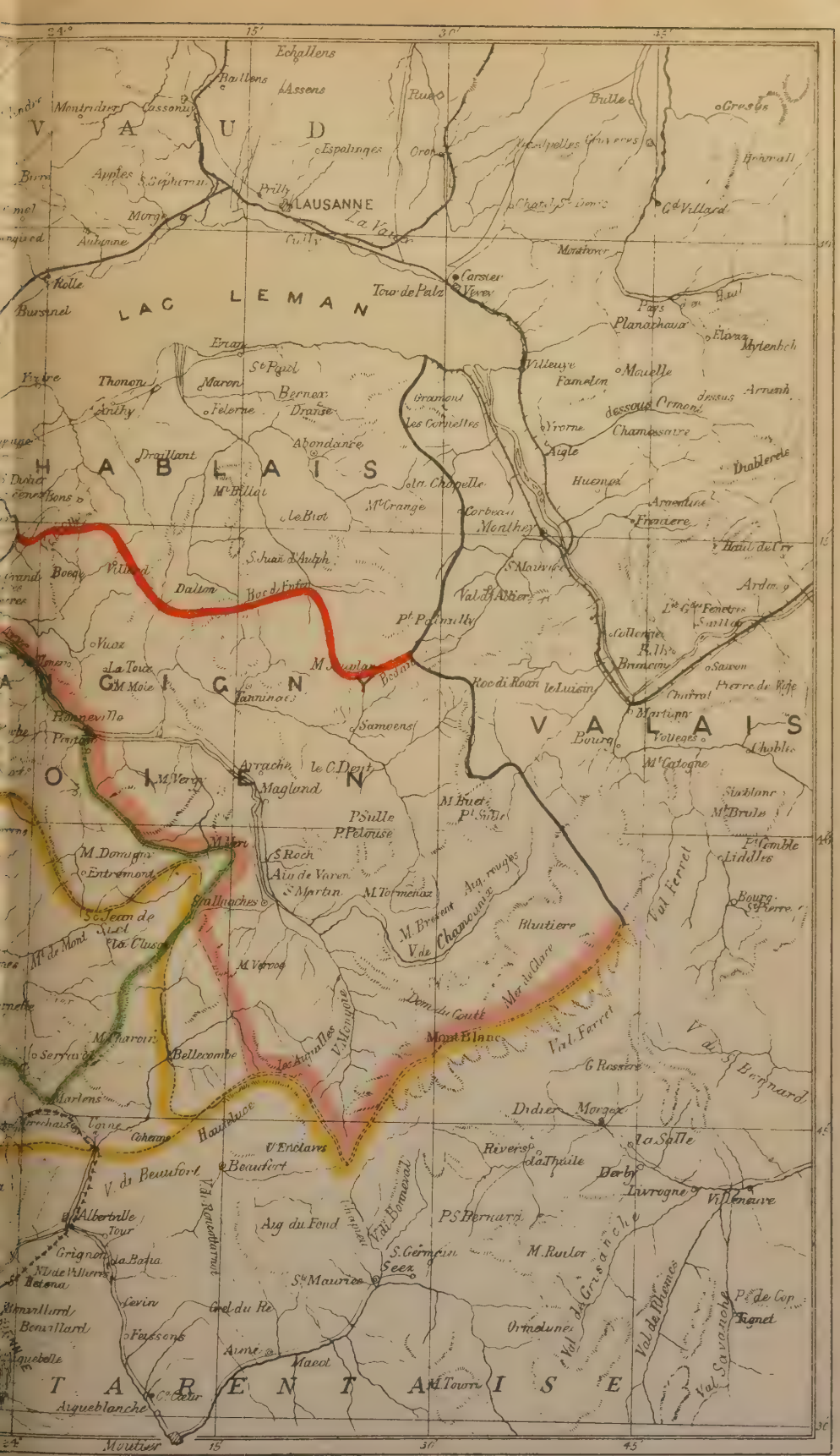
MAP
OF
SAVOY.

REFERENCE.

- Frontier of Genevese Province
- Frontier between Upper Savoy and Savoy Proper.
- Frontier between Chablais and Faucigny.
- Frontier of the Province of Faucigny.
- Present Frontier between Geneva and Faucigny.
- Favorable line of defence according to Gen.l Finsler.

MAP referred to in the "Mémoire sur les Rapports entre la Suisse et la Savoie Neutralisée", Presented to Parliament in March 1860.




V A U D
LAUSANNE
LAC LEMAN
H A B L A I S
V A L A I S
T A R E N T A I S E
Echallens
Assens
Espalinges
Prilly
La Vaux
Rolle
Tour de Peilz
Vevey
Montreux
Villeneuve
Chillon
Thonon
Bernex
Draise
Abondance
Monthey
Martigny
Bourg St Pierre
Val Ferret
Mont Blanc
Grand Combin
Aiguebelle
Moutier

MAP
OF
SAVOY.
1860.

Rights of Civil Servants and Soldiers of Savoy and Nice.

ART. V. The French Government will secure to the Civil and Military Functionaries belonging by birth to the Province of Savoy and to the Arrondissement of Nice (*Circondario di Nizza*), and who shall become French Subjects, the Rights due to them on account of the services rendered by them to the Sardinian Government; they shall especially enjoy the advantages resulting from the permanency of the Magisterial Appointments, and the guarantees ensured to the Army.

Nationality of Subjects of Savoy and Nice.

ART. VI. Sardinian Subjects natives of Savoy and the Arrondissement of Nice, at present domiciled in those Provinces, who shall desire to preserve their Sardinian Nationality, shall enjoy, during the space of one year from the date of the exchange of the Ratifications, and provided that they make a previous Declaration before the competent authority, the right of transporting their domicile into Italy, and of fixing it there; in which case, the character of Sardinian Citizen shall be continued to them.

Preservation of Immoveable Property in ceded Territories.

They shall be free to retain their Immoveable Property situated in the Territory annexed to France.

Execution of Treaty by Sardinia.

ART. VII. As concerns Sardinia, the present Treaty shall be in force as soon as the necessary Legislative Sanction shall have been given by Parliament.

*Ratifications.**

ART. VIII. The present Treaty shall be ratified, and the Ratifications of it shall be exchanged at Turin within 10 days, or sooner if possible.

In faith of which the respective Plenipotentiaries have signed it, and have affixed to it their Armorial Seals.

Done in Duplicate, at Turin, the 24th day of the month of March, of the year of Grace, 1860.

(L.S.) TALLEYRAND. (L.S.) CAVOUR.
(L.S.) BENEDETTI. (L.S.) FARINI.

* Ratifications exchanged at Turin, 30th March, 1860.

No. 314.—*PROTEST of the Duchess of Parma against the Annexation of the Duchy of Parma to the Kingdom of Sardinia. Zurich, 28th March,* 1860.

(Translation as laid before Parliament.*)

We, Louisa Maria, of Bourbon, Regent of the States of Parma, for Duke Robert I.;

In view of the facts recently occurring in the States of Duke Robert, our beloved son, and especially looking to the pretended popular votes illegally given on the 11th and 12th instant, and to the Usurpation of those States, now completed by their Annexation to another adjoining State, we consider it our holy duty to pronounce again our solemn Protest.

We Protest first of all—

Against the pretended right of transfer (*dedizione*) proclaimed in favour of the people; a fresh encouragement brought forward for withdrawing them from obedience to constituted Governments;

Against the proceedings taken by the Government of the King of Sardinia in order to obtain at any cost manifestations in its favour by the inhabitants of the Duchy;

Against the violence used towards the people of Parma by the agents of the Piedmontese Government. We have for a long time known the real sentiments of the inhabitants of the Duchy; we have had many proofs thereof in memorable circumstances during our Regency, and even in times very recent; they are sentiments of attachment to the autonomy of the country, of fidelity to their Legitimate Sovereign. Under the intimidation of threats, the corruption of deceit, and the oppression of terror, in consequence of Oaths of Allegiance to Victor Emanuel, forced upon functionaries in every department of administration, under the penalty of dismissal, through the general discouragement produced by 9 months of pretended uncertainties and perilous sufferings; by those means have the manifestations of a suffrage previously counterfeited been procured from a considerable number of individuals. Being the work of the foreigner, and opposed to

* For French version, see "State Papers," vol. lvii, p. 1037.

the permanent interests of the people, as well as to the Rights of Sovereignty and to the Independence of the State, these manifestations can have no moral force, and we, therefore, declare them to be null and of none effect.

We further Protest—

Against the Annexation of the States of our most beloved son to the Dominions of the House of Savoy, which that House has now accepted and accomplished; and, therefore, we Protest also,

Against the Acts of Acceptation and of taking Possession of the said States; and

Against whomsoever has concurred, by his counsels or his aid, to promote and carry out the same.

This Annexation is a flagrant violation of European Treaties, of all the principles of the Law of Nations, and of the Inviolability of States and Crowns.

This Annexation could never be claimed as a legitimate consequence of War, and we desire to reply always, and above all, to the false arguments contrived by the Piedmontese Government, falsifying the meaning of the purely defensive Treaties made between the Duchy of Parma and Austria, and misrepresenting facts, for the purpose of bringing the Duchy to the condition of a Belligerent Power in the conflict which has broken out between Austria on the one hand, and France and Piedmont on the other, thus procuring a seeming title to make of it an object of conquest.

Everybody knows perfectly well that from the moment when War was declared, our irrevocable conduct, and our persevering efforts, have had no other aim than to guarantee as far as possible the Independence and welfare of our People, by maintaining an attitude of Neutrality. This Neutrality, as permitted by Treaties, but therefore real and legitimate, was violated by the entrance of the foreign troops at Pontremoli. We protested then, and we did not quit our States until the moment when our protests were no longer able to protect the Sacred Rights of our Son.

Our Neutrality is founded on solid arguments of law and of facts, which availed for the recognition and reservation of the right of the Duke of Parma in the Treaty of Zurich. But that is, nevertheless, always superior to the conditions and vicissitudes of this Treaty. Based upon the Law of Nations, it cannot perish.

Now the Right of Duke Robert over the States of Parma is

ancient, acknowledged, reconfirmed, and complete. It was guaranteed by the European Powers in the Treaties of 1815 (**Nos. 19, 27,** and **40**), and of 10th June, 1817 (**No. 73**). It was implicitly confirmed by the King of Sardinia in the International Treaties which have followed since that epoch, and particularly in the Treaty of Peace stipulated between Austria and Piedmont on the 6th August, 1849 (**No. 215**), to which the Duke of Parma, by Article V, was invited to give his adhesion, and he did give it. It cannot, according to the principles hitherto recognised and upheld in Europe, be set aside by a pretended right of popular suffrage; still less by the unlimited right of peoples to transfer themselves to a foreign Sovereign.

Consequently, the offer of the States of Parma, which the Piedmontese Government has procured for the King of Sardinia by revolutionary means, the acceptation thereof, and their Annexation now completed by the Decree of King Victor Emanuel of 18th March, 1860 (**No. 308**), are acts of guilty and hateful spoliation, to the injury of our most beloved son Duke Robert I, and his successors.

And we, mother, guardian, and Regent, do again Protest, in the interest of our Dynasty, and of the people of the States of Parma, as well against all the unjust acts aforesaid as against the consequences thereof.

And without awaiting the examination to which the European Powers may submit the new conditions made for Italy, also by Article XIX of the Treaty of Zurich (**No. 301**), we appeal to the said Powers, we demand their support, and we rely with confidence upon their equity, and upon the justice of God.

The present Protest will be notified to all the Powers who signed the Treaties of 1815 (**Nos. 19, 27,** and **40**), and 1817 **Nos. 71, 72,** and **73**), as well as to the other friendly Courts.

LOUISA.

No. 315.—*PROTEST of the Swiss Government against the Cession by Sardinia of the Neutral Part of Savoy to France. Turin, 28th March,* 1860.

The Swiss Minister at Turin to the Sardinian Minister for Foreign Affairs.

(Translation, as laid before Parliament.)

EXCELLENCY,

A TREATY for the Cession of Savoy to France, concluded on the 24th instant by the Plenipotentiaries of His Majesty King Victor Emanuel II, and those of His Majesty the Emperor Napoleon III, subject to the approval of the Sardinian Parliament, has just been inserted in the "Moniteur Universel."

As this Treaty has been concluded without the concurrence of Switzerland, who had, however, applied to be allowed to participate in it as one of the principal parties concerned in the negotiations relative to this Cession, this official publication cannot be considered by the Federal Council but as a preliminary act of menace against the rights of which the Confederation is possessed in virtue of former Treaties.

Consequently any act of appropriation by France in the North of Savoy, whether civil or military, as long as no understanding shall have been come to with Switzerland on the subject, will be regarded by her as a flagrant violation of her rights.

A preliminary occupation by foreign Agents would be an unfair coercion of the free expression of the wishes of the population of these Provinces. Switzerland therefore repeatedly claims the indefeasible right, which she possesses, of not allowing a state of things on which her Independence is based, to be severely compromised, without her own consent to the change.

The defence of Switzerland's Neutrality in time of War, making the occupation of Faucigny, Chablais, and Genevois, by Federal Troops indispensable, the Federal Council has been obliged to address the Powers who signed the Final Act of the Congress of Vienna (**No. 27**), and the Declaration of Paris of the 20th of November, 1815 (**No. 43**), which Powers guaranteed this Neutrality, and also that of the Territory, at that time belonging

to Sardinia, situated north of Ugine, in order to submit to them the new position which one of the Contracting Powers alone wishes to impose upon her, in transferring the Sovereignty of these Provinces from Sardinia to France.

In the event of the Cession of Savoy to France, Switzerland demands the Annexation to her Territory of the frontier districts of Northern Savoy. This demand is in conformity with the letter and spirit of the Treaties, which are equally binding on the Powers who signed the Congress of Vienna, and on the House of Savoy and the Helvetic Confederation.

Under these circumstances I am obliged, in the name and by order of the Federal Council, with reference to their Note dated the 11th of March,* to my Protest of the 14th, and to my Notes of the 21st and 27th of the same month, again to protest to the Government of His Majesty King Victor Emanuel II, against any occupation, civil or military, on the part of France, of the disputed Territory, until an understanding shall have been come to on the subject between the Powers who guaranteed the Neutrality of Switzerland, and Switzerland herself; this latter positively demanding the assembly of a Conference, convoked exclusively for the consideration of this subject.

In the hope that the just right to which I appeal will be respected by the Government of His Majesty the King of Sardinia, and that that Government may never forget the consideration due to an old and friendly neighbour, I beg, &c.

A. TOURTE.

* See French Proposals of 20th June, and British Reply of 25th June, 1860; and Treaties between France and Sardinia of 23rd August, 1860, and 7th March, 1861.

No. 316.—*PROTOCOL of CONFERENCE between the Plenipotentiaries of Great Britain, Austria, France, Prussia, and Russia, respecting the closing of the Montenegrin Boundary Commission. Constantinople, 17th April, 1860.**

(Translation.)

THE Representatives of the 5 Powers having taken into consideration, in the presence of His Excellency Fuad Pasha, the Collective Report of the Commissioners for the Delimitation of Montenegro, dated 26th March, and the Documents annexed thereto, have acknowledged as deserving their attention, and as laid down in the Report itself, the following Questions, namely:

1st. Whether the Commissioners may be considered as having finished their labours.

2nd. How, after the dissolution of the Commission, the Questions laid down in the Protocol of 8th November, 1858 (**No. 288**), and in the Collective Despatch of the 6th March, 1860, can be solved, whether these Questions arise in future on the Frontier, or that they exist at the present moment, but without having been brought to the notice of the Commissioners.

On the first point the above-mentioned Representatives are of opinion that the Commissioners having declared that they do not know of any present or urgent Question claiming their Intervention, and that the labour pointed out by Abdi Pasha would last at least two years, thus prolonging their Mission beyond the limit of time which their Governments had foreseen, those Gentlemen are at liberty to consider their labours as terminated.

With reference to the second point the Representatives consider that the wish expressed by Prince Danilo in favour of the establishment of direct Relations between himself and the Governors of neighbouring Districts, as well as for a Mixed Local Commission formed by common consent between the Ottoman and Montenegrin Authorities (Commission which might have as a first task to decide Questions which arise on account of Pasturage) deserves the attention of the Sublime Porte. They therefore think it advisable to recommend it to the consideration of Fuad Pasha, who shows himself favourable to the measure

* See also Protocols of 31st August, 1862, 3rd May, 1864, and 26th October, 1866.

and promises to examine into the necessary character and form to put it into execution. The Representatives are further of opinion that in cases in which, notwithstanding the direct communications between the Governors of Districts on the Ottoman Frontier and Prince Danilo, and the labours of the Commission above mentioned, any Questions likely to trouble the Peace of the Frontier should remain undecided, it would be necessary to submit those Questions to the Consuls of the 5 Powers at Scutari who would examine them jointly with the Governor of the Town, and that in that case Prince Danilo should have the power to send to Scutari some person authorised to represent him at the Commission and to defend his interests.

Finally the Representatives before separating express their favourable opinion for the Topographical Work and the Specification perfected by the Commissioners and which some of them have received.

H. L. BULWER.
VON PROKESCH OSTEN.
GOLTZ.
A. LOBANOW.
A. DE LALLEMAND.

[Approved by the British Government, 9th May, 1860.]

After the publication of Protocol No. 15 of the Paris Conference of 26th March, 1856 (**No. 268**), Prince Danilo of Montenegro addressed a Note to the European Powers (31st May, 1856), in which he claimed:

1. The Diplomatic recognition of the Independence of Montenegro.
2. The extension of her Frontiers towards the Herzegovina and Albania.
3. The definitive settlement of the Boundary Line towards Turkey, such as existed for the Austrian Frontier.
4. The annexation of the Port of Antivari to the Principality.

Prince Danilo was assassinated on the 13th August, 1860, and on the following day his nephew, Nicolas Petrovich Niegoch, son of Mirko Petrovich, was proclaimed by the Senate as his Successor.

No. 317.—*FINAL ACT of Demarcation of the Frontier between Sardinia and the Italian Provinces of Austria, definitely fixed by the Military Commission appointed in conformity with the Treaties of Zurich of 10th November, 1859. Signed at Peschiera, 16th June, 1860.*

(Translation.*)

Reference to Treaties of Zurich of 10th November, 1859.

In consequence of the Territorial Cessions stipulated in the Treaties concluded at Zurich, on the 10th November, 1859:

1. Between His Majesty the Emperor of Austria and His Majesty the Emperor of the French (**No. 301**).

2. Between His Majesty the King of Sardinia and His Majesty the Emperor of the French (**No. 302**).

3. Between their Majesties the King of Sardinia, the Emperor of Austria, and the Emperor of the French (**No. 303**).

Treaties, the Ratifications of which were exchanged by the Contracting Powers on the 21st of the same month; the demarcation between the States of the Kingdom of Sardinia and the Italian Provinces of Austria, has been fixed in the following manner by Article III of the 3rd Treaty above mentioned.

Line of Frontier.

"The Frontier, starting from the Southern Boundary of the Tyrol, on the Lake of Garda, will follow the middle of the Lake as far as the height of Bardshin and Manerba, whence it will meet in a straight line the point where the circle of defence of the Fortress of Peschiera intersects the Lake of Garda.

"It will follow the circumference of this circle, the radius of which, reckoned from the centre of the Fortress, is fixed at 3,500 metres, between the distance from the said centre to the glacis of the most advanced Fort. From the point of intersection of the circumference thus designated with the Mincio, the Frontier will follow the thalweg of the River as far as Le Grazie; will

* For French version, see "State Papers," vol. liii, p. 943.

stretch from Le Grazie, in a straight line to Scorzarolo; will follow the thalweg of the Po as far as Luzaira, beyond which point no change is made in the Boundaries such as they existed before the War."

The same Article III stipulates "that a Military Commission, appointed by the High Contracting Parties, will be charged with the duty of tracing the Boundary with the least possible delay."

In execution of this last Convention, their Royal and Imperial Majesties have appointed as their Commissioners, namely:

His Majesty the King of Sardinia; the Chevalier Raphaël Cadorna, Major-General, &c., replacing the Count Louis Pettiti-Bagliano de Roveto, Major-General, charged with another mission; and M. François Borso, Major on the Staff Corps, &c.;

His Majesty the Emperor of Austria; the Count Folliot de Crenneville, Lieutenant-General, &c.; and the Baron François Vlasits, Major on the Staff Corps, &c.;

His Majesty the Emperor of the French; M. Auguste Adolphe Napoleon Chauchard, General of Brigade Commanding the Engineers of the French Army in Italy, &c.; and M. Jules Louis Lewal, Chief of the Squadron of the Staff Corps, &c.;

Who, after having met at Peschiera, and after having exchanged their Full Powers, found to be in good and due form, have formed themselves into a Commission, under the Presidency of Lieutenant-General Count de Crenneville. The Chief of Squadron Lewal has been appointed to fulfil the functions of Secretary.

The Commission immediately began its operations, and agreed that it would admit, as topographical documents, the Lombard Register of Lands for the planimetry and the Austrian military topographical sections, on the scale of $\frac{1}{28800}$.

It afterwards determined to adopt the following principles as a basis of the labour of Demarcation with which it was entrusted:

1. To strive and find a limit easy to recognise and to superintend, by following, as far as possible, the natural accidents of the soil, taking into account at the same time the military and administrative exigencies.

2. To avoid as far as possible dividing the portions of Registered Lands.

3. In those parts where the Po and the Mincio form the Frontier, the thalweg or principal current shall determine the line of Demarcation between the two States; but the possession of the

Islands such as they shall have been fixed by the International Commission, and such as they shall be described in the 2nd and 4th sections of the present Act, shall remain unchangeable, whatever changes those currents of water may undergo.

4. This unchangeableness shall cease to hold good, in case an Island shall join the Banks. That Island shall then pass in all Sovereignty and possession, under the dominion of the Power possessing the adjoining Bank.

5. In the event of the formation of new Islands, or junction of two or more Islands, belonging to different States, the concession of Rights of Sovereignty and Possession, to either of the two States, shall be decided according to the thalweg then existing.

That junction shall be considered as having taken place whenever the height of the bed of the canal which separates the Islands or the adjoining Banks, shall attain the mean height between the ordinary low and high waters.

6. In the case provided for in the preceding Articles, where there shall be a change of possession on a Territory, or the taking possession of an Island newly formed, the case shall be established, on the demand of one of the States, by an official Act, drawn upon the spot by special Commissioners.

The Taxes due to the new Government shall date from the official Act above stated.

The Commission has also adopted the following arrangements:

1. On the Land Frontier, the Limits shall be marked by Stakes, wherever Landmarks cannot be placed.

The Stone Landmarks shall be cut in the form of a rectangular prism, 27 centimeters in width, and 1 meter 60 centimeters in height, the half of which shall be buried.

2. Austria shall undertake the making and the placing of the Landmarks, as well as all the Geodœsical, Topographical, and other operations relative to the determination and the tracing of the new Frontier.

3. The expenses of Demarcation, the price of the Stones and Stakes, the transport of those materials, and the price of the days of labour and lodging of the men engaged on the Boundary Works, shall be equally shared by the two bordering States, in accordance with the accounts approved by the Commission.

4. The Landmarks or Stakes shall bear on the two sides facing the bordering States, a number the series of which shall

begin at Lake Garda, and shall continue without interruption to the other extremity of the Frontier.

5. The Landmarks shall be placed at every change of direction, and in sight of each other.

6. Whenever the Frontier crosses plantations of trees, brambles, or reeds, the ground shall be cleared so as to form Cuttings or Glades, 4 metres wide, on both sides of the Frontier.

7. The maintenance and replacing of the Landmarks shall be at the expense of the bordering States, the Sardinian Government providing for the preservation of the even numbers, and the Austrian Government for the uneven numbers.

The Cuttings or Glades shall be maintained by each Power on his own Territory.

8. On the Bridges of the Rivers, Stakes shall mark the Frontier, and shall be placed in the centre of each Bridge under reserve of the arrangements of Article XIX of the Treaty of Zurich (**No. 303**), which stipulates that "the Austrian Government and the Sardinian Government bind themselves to regulate, by a special Act, all that relates to the ownership of and the maintenance of the Bridges and Passages on the Mincio, where it forms the Frontier, and to such new Buildings as may be made in that respect, the expenses which may result from them, and the taking of the Tolls.

9. The Stakes erected on the Bridges shall follow in the general numbering of the Boundary Marks, and their preservation shall devolve upon the one or the other Power, according to the number, even or uneven, which they shall bear, as has been above decided.

10. In order to prevent the alterations which might be caused to the system of the Waters, by the erection in future of Buildings on the Banks of the streams forming the Frontier, and in order to protect in that respect the interests of the Riverain Proprietors, the Commission recalls that Article XX of the Treaty of Zurich (**No. 303**), has provided against the difficulties which might arise in that respect by enjoining that "Where the Valley of the Mincio shall henceforth mark the Frontier between Sardinia and Austria, the buildings intended for the rectification of the Bed, and the Damming up of that River, or which shall be of a nature to alter its current, shall be made by common agreement between the two adjoining States. An ulterior arrangement will regulate this matter."

11. The stipulations of Articles XIX and XX, above mentioned, having reference only to the course of the Mincio, the Commission have agreed that they shall likewise apply to the course of the Po, in the part where that River forms the Frontier.

12. The present Final Act, which recapitulates and declares the operations, and embodies the reciprocal engagements considered convenient to guarantee the stability and inviolability of the Frontier, shall, together with the Plans and Annexes which accompany it, be made to the number of 3 copies, certified by all the Members of the Commission.

13. The Ratification of this Final Act shall be reserved to the Sovereigns themselves of the States represented.

These Preliminaries being admitted, the Commission applied itself to determining the Limits which were henceforth to form the separation between the two bordering States, and has definitively fixed the drawing of the new Frontier, as shall be stated below.

This is naturally divided into 4 distinct parts, namely, the Circle around Peschiera, the course of the Mincio, the space between the Mincio and the Po, the course of the Po.

1ST SECTION.—*Part of the Frontier forming the Circle of Defence round Peschiera, from Lake Garda to the Mincio.*

2ND SECTION.—*Part of the Frontier formed by the Mincio.*

3RD SECTION.—*Part of the Frontier between the Mincio and the Port, from La Grazie to Scorzarolo.*

4TH SECTION.—*Part of Frontier formed by the Po.*

To this Act are annexed—

Under No. 1, a Plan of the Line of Frontier round Peschiera, in 12 sheets, on the scale of $\frac{1}{2000}$, besides a descriptive Table.

Under No. 2, the descriptive Table indicating the position of the Landmarks for the same part of the Frontier.

Under No. 3, a figurative Plan, indicating the Line of Frontier between the Mincio and the Po, in 3 sheets, on a scale of $\frac{1}{8000}$.

Under No. 4, the descriptive Table indicating the position of the Landmarks in that part of the Frontier.

Under No. 5, a Topographical Chart in two sheets, on a scale of $\frac{1}{28800}$, representing the whole of the Frontier, with 6 Annexes relative to the Islands of the Mincio.

Under No. 6, the Account of Expenses for the erection of the Landmarks, and for the works relating thereto, approved by the Commission.

Done in Triplicate, at Peschiera, 16th June, 1860.

(L.S.) R. CADORNA.
(L.S.) F. BORSON.
(L.S.) CTE. FOLLIOT DE CRENNEVILLE.
(L.S.) BN. VLASITS.
(L.S.) CHAUCHARD.
(L.S.) J. LEWAL.

No. 318.—*ARRANGEMENT concluded between Great Britain, France, Russia, and Greece, respecting the Greek Loan.** *Athens, June,* 1860.

The British Minister at Athens to the Greek Minister for Foreign Affairs.

SIR, *Athens, 20th October,* 1859.

HER Majesty's Government have had under their attentive consideration the Report of the Commission which, with the concurrence of the Greek Government, was appointed in 1857, on the part of Great Britain, France, and Russia, to inquire into the Financial State of Greece,† in consequence of the failure on the part of the Greek Government to meet the charges on the Greek Loan as they came due, and the payment of which has therefore consequently for some time past entirely fallen on the 3 guaranteeing Powers.

Her Majesty's Government have in consequence instructed me to bring under the serious consideration of the Greek Government the results of the inquiries made by the Commission, and the conclusions to which those inquiries have inevitably led, and which are set forth in the Report, copy of which I have had the honour to transmit this day, on the part of the Commission, with the approbation of the Governments of the 3 Guaranteeing Powers.

[Here follows an account of the labours of the Commission.]

In conclusion, the Commission, after an attentive examination and consideration of the resources of the Greek Treasury, having arrived at the conviction that Greece, without injury to her public service or to her regular development, was at present fully able to contribute 900,000 francs, equal to 1,000,000 drachmas, or £36,000 in all, or £12,000 to each of the 3 Powers,‡ to the sacrifices every year made on her behalf, it submitted to the 3 respective Governments that such sum ought to be fixed on as the minimum to be required from Greece for her first payment.

* This Agreement was continued from 1st December, 1864, to 1st December, 1869; and again from 1st December, 1869, to 1st December, 1874.

† Dated Athens, $\frac{12}{24}$th May, 1859.

‡ By a Treaty between Great Britain, France, Russia, and Greece, dated 29th March, 1864, the 3 Protecting Powers consented each to abandon annually £4,000 of this sum, or £12,000 in all, in order to form a personal dotation for King George during his lifetime.

Proviso, however, that in the presumption that the resources of the country would continue to increase, this sum should, at periods hereafter to be determined, be increased proportionably.

Her Majesty's Government concurring entirely in the Report which has unanimously been adopted by the Representatives of the 3 Protecting Powers forming the Commission, and in these premises has further instructed me to urge on the Government of Greece the absolute necessity of adopting without delay the administrative and financial reforms recommended by them. Her Majesty's Government equally with the Governments of France and Russia, are unwilling to press unduly the Greek Government, and above all things are averse to retard the development of the industrial resources of Greece, and that in consequence the 3 Protecting Powers have in concert, with all due regard to the wants of the State, fixed the minimum of the sum to be paid at first by Greece towards meeting the charges on the Loan at 900,000 francs; that sum to be afterwards increased in proportion to the improved state of the Greek finances, at periods to be afterwards determined when the question respecting the Sinking Fund of the Debt shall be arranged.

In return for the moderation shown by the 3 Protecting Powers in fixing the amount, those Powers may well consider that they have acquired a right to expect and to require that the Greek Government will carry out such an effectual system of reform in the Departments of the State as will entirely remove all cause of future complaint in consequence of the failure of the Greek Government to fulfil engagements solemnly contracted towards the 3 Powers.

Her Majesty's Government, from the knowledge which they have acquired of the Financial Resources of the Country, feel assured that the Government will have no difficulty in setting aside the same as its first payment.

I am further instructed to add that if the Greek Government fails in discharging its duty in this respect, the only course left for the 3 Protecting Powers to pursue will be rigorously to exact the requisition of Article XII of the Treaty of 1832 (**No. 159**), by which Greece binds herself to lay aside the first produce of Greek Revenues towards the Interest and Sinking Fund of the Loan.

I have, &c.

M. Condouriotis. THOS. WYSE.

[Greek Loan.]

The Greek Minister for Foreign Affairs to the British Chargé d'Affaires at Athens.

(Translation.)

SIR, *Athens*, $\frac{9th}{21st}$ *June*, 1860.

THE communication dated the 20th October, 1859, which the Right Honourable Sir Thomas Wyse did me the honour to address to me, inviting the Hellenic Government, in the name of Her Majesty the Queen of Great Britain, to contribute to the settlement of the Loan of 60,000,000 by a yearly payment of 900,000 francs, has been taken into serious consideration.

The Government of the King, while they consider that this demand is far removed from the proposals they had spontaneously submitted in 1856 to the 3 Guaranteeing Powers, and disproportionate to their wants and their resources, has nevertheless determined to carry it out, by imposing on themselves more than one sacrifice, and confining the expenses of the State to what is strictly necessary.

I have consequently the honour to announce to you, Sir, that the vote of 900,000 francs, asked of the Chambers for this purpose, having been obtained, the Royal Government has instructed the King's Ministers in London, Paris, and St. Petersburgh, to bring to the knowledge of the Guaranteeing Powers that the above-mentioned sum is at their disposal, and to submit at the same time the necessary remarks relative to certain assertions contained in the Report of the Financial Commission.

I trust that the anxiety shown by the King's Government to satisfy the demand of the Powers will be considered in London as a further proof of their sincerity in fulfilling their Engagements as far as lies in their power.

Accept, &c.

C. A. G. CONDOURIOTIS.

The Hon. W. G. Cornwallis Eliot.

No. 319.—*FRENCH PROPOSALS for steps to be taken for reconciling the Treaty of 24th March, 1860, with the Vienna Congress Treaty of 9th June, 1815, relative to the Neutralised Portions of Savoy ceded to France by Sardinia. Paris, 20th June, 1860.*

(Translation as laid before Parliament.)

The French Minister for Foreign Affairs to the French Ambassador in London.

M. LE COMTE, *Paris, 20th June, 1860.*

THE Treaty of Turin* having received its definitive sanction, and the transfer of the Territories ceded by the King of Sardinia having been effected, the moment is come for the Government of the Emperor to conform to the obligation which it has incurred of coming to an understanding, as well with the Powers who signed the General Act of Vienna as with the Swiss Confederation, on the subject of the contingent neutralisation of a portion of Savoy. The object of this understanding, as I had the honour of observing to you in my communication of the 10th of April last, should, in our opinion, consist in reconciling Article XCII of the Act of Vienna (**No. 27**) with Article II of the Treaty of Turin (**No. 313**).

This arrangement it is proposed to carry out by diplomatic stipulation destined to a place in the law of Europe. For the attainment of this object, several courses are open to the Powers. The question may be brought before a Conference. An exchange of Notes might be likewise agreed upon, if it were thought preferable, by which the Government of the Emperor should assume towards the Powers who guaranteed Swiss Neutrality, and towards Switzerland herself, the obligations contracted by Sardinia. Finally, the Powers might also declare in favour of a preliminary negotiation between France and Switzerland, the object of which should be to determine the reciprocal rights and duties resulting from the neutralisation, which would be done by remodelling and completing the Treaty signed at Turin between Sardinia and the Swiss Confederation in 1816. The Government of the Emperor is ready, on its side, to accept the course which

* Treaty between France and Sardinia of 24th March, 1860

the other Cabinets shall prefer, and which shall seem to them best suited to the circumstances. I confine myself, in case they should decide in favour of a Conference, to reminding them that the majority of them have already recognised the propriety of its assembling at Paris, and that Sardinia and Switzerland have put forward in favour of their participation in its labours considerations the justice of which has been admitted by His Imperial Majesty's Government.

You will read this despatch to Lord John Russell, and give him a copy of it.

Receive, &c.,

Earl Cowley. THOUVENEL.

[For British reply see next page.]

No. 320.—*BRITISH REPLY to French Proposals for reconciling the Treaty of 24th March, 1860, with the Vienna Congress Treaty of 9th June, 1815, relative to the Neutralised Portions of Savoy, ceded to France by Sardinia. London, 25th June, 1860.*

The British Minister for Foreign Affairs to the British Ambassador at Paris.

My Lord, *Foreign Office, June 25th, 1860.*

I transmit to your Excellency, herewith, a copy of a despatch from the Minister for Foreign Affairs of the Emperor of the French to His Majesty's Ambassador at this Court, which was delivered to me by M. de Persigny on the 22nd instant.

In this despatch M. Thouvenel declares that the time has arrived for France to come to an understanding with the Powers of Europe, with a view to put Article XCII of the Treaty of Vienna (**No. 27**) in harmony with Article II of the Treaty of Turin (**No. 313**). This can be done, according to M. Thouvenel, in one of 3 ways:

1. By a Conference of the Powers who signed the Treaty of Vienna; or

2. By an exchange of Identic Notes, in which France should undertake, and Europe should acknowledge, that France was bound to Europe and to Switzerland by the same conditions by which Savoy has been hitherto held by Sardinia; or

3. By a preliminary negotiation between France and Switzerland, with a view to determine their reciprocal rights and duties.

Of these 3 modes Her Majesty's Government prefer the first. It is that which has been asked by Switzerland, the Power most interested in that question. It is that which is most likely to lead to a frank discussion and a friendly explanation.

Her Majesty's Government accept the Proposals of France that the subject of the Conference* should be the means of reconciling Article XCII of the Treaty of Vienna (**No. 27**) with Article II of the Treaty of Turin (**No. 313**); that the place of the Conference should be Paris; and that Switzerland and Sardinia should participate in its deliberations.

I am, &c.,

Earl Cowley. J. RUSSELL.

* The Conference was not held.

No. 321.—*PROTOCOLS OF CONFERENCES between Great Britain, France, Prussia, Russia, and Turkey, relative to the Pacification of Syria. Paris, 3rd August*, 1860.

TABLE.

(1.) Measures for the Restoration of Order and Peace in *Syria*.

(2.) Territorial Advantages, &c., disclaimed by the Powers assisting *Turkey* in the Pacification of *Syria*.
Condition of Christians in Turkey.

(Translation.*)

(1.) *Measures for the Restoration of Order and Peace in Syria.*

HIS Imperial Majesty the Sultan wishing to stop, by prompt and efficacious measures, the effusion of blood in Syria, and to show his firm resolution to establish Order and Peace amongst the populations placed under his Sovereignty; and their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, His Royal Highness the Prince Regent of Prussia, and His Majesty the Emperor of All the Russias, having offered their active co-operation, which His Majesty the Sultan has accepted; the Representatives of their said Majesties and of His Royal Highness have agreed upon the following Articles:

[Here follow Articles I to VI (**No. 323**).]

It is understood that the 6 preceding Articles shall be embodied *verbatim* into a Convention,† which shall receive the signatures of the undersigned Representatives, as soon as they are furnished with Full Powers from their Sovereigns, but that the Stipulations of this Protocol will come immediately into force.

The Chargé d'Affaires of Prussia, however, points out that the present distribution of the Prussian Ships of War may possibly not permit his Government to co-operate at present in the execution of Article IV.

Done, in sextuplicate, at Paris, the 3rd of August, 1860.

(L.S.) COWLEY.
(L.S.) METTERNICH.
(L.S.) THOUVENEL.
(L.S.) REUSS.
(L.S.) KISSELEFF.
(L.S.) AHMED VEFYK.

* For French version, see "State Papers," vol. 1, p. 89.

† See Convention of 5th September, 1860.

(2.) *Territorial Advantages, &c., disclaimed by the Powers assisting Turkey in the Pacification of Syria.*

The Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, and Turkey, desirous of establishing, in conformity with the intentions of their respective Courts, the true character of the assistance afforded to the Sublime Porte by the provisions of the Protocol signed this day, the feelings which have dictated the clauses of this Act, and their perfect disinterestedness; declare in the most formal manner, that the Contracting Powers do not intend to seek for, and will not seek for, in the execution of their Engagements, any Territorial Advantages, any Exclusive Influence, or any Concession with regard to the Commerce of their Subjects, and which could not be granted to the Subjects of all other Nations.

Condition of Christians in Turkey.

Nevertheless, in recalling here the Acts issued by His Majesty the Sultan, the great importance of which was established by Article IX of the Treaty of the 30th of March, 1856 (**No. 264**), they cannot refrain from expressing the value which their respective Courts attach to the fulfilment of the solemn promises of the Sublime Porte, that serious administrative measures should be taken to ameliorate the condition of the Christian populations of every creed, in the Ottoman Empire.

The Plenipotentiary of Turkey takes note of this Declaration of the Representatives of the High Powers, and undertakes to transmit it to his Court; pointing out that the Sublime Porte has employed, and will continue to employ, her efforts in the sense of the wish expressed above.

Done, in sextuplicate, at Paris, the 3rd of August, 1860.

(L.S.) COWLEY.
(L.S.) METTERNICH.
(L.S.) THOUVENEL.
(L.S.) REUSS.
(L.S.) KISSELEFF.
(L.S.) AHMED VEFYK.

No. 322.—*CONVENTION between France and Sardinia, relative to the Annexation of Savoy and Nice to France. Paris, 23rd August*, 1860.

ART. TABLE.

Preamble. Reference to Treaty of 24th March, 1860.

1. Contribution by *Savoy* and *Nice* of 4,500,000 francs towards the Public Debt of *Sardinia*. Rentes to that amount to be made over by *France* to *Sardinia*.
2. Civil and Military Pensions to be paid by France.
3. Ecclesiastical Property made over to *France*. *France* to pay Pensions and Allowance to Ecclesiastics.
4. Moveable Property in Public Establishments in *Savoy* and *Nice* belonging to *Sardinian* Government to become the Property of *France*. Furniture and Moveable Property in *Fort Lesseillon* as well as the Fire Arms of the Forts of *Villafranca* and *Montauban* reserved to *Sardinia*.
5. Contracts entered into by *Sardinia* for *Savoy* and *Nice* to be fulfilled by *France*.
6. Rights and Privileges of Bank of *Annecy*.
7. Moveable and Immoveable Property possessed by Colleges, &c., to be retained by them.
8. Patents of Inventions.
9. Criminals, Natives of *Savoy* and *Nice*, in *Sardinian* Prisons.
10. Archives of *Savoy* and *Nice* to be made over to *French* Government. Titles and Documents relative to Royal Family of *Sardinia* to be given up by *France*.
11. Import of Instruments by *Sardinia* into *France* for piercing *Mont Cenis* to be free of Duty.
12. Free Import into *France* of Goods, Furniture, &c., by Natives of *Savoy* and *Nice*, and Free Export into *Sardinia*.
13. Transit Dues.
14. Cession to *French* Government of Mortgage Rights on *Sardinian* Annuities, Securities of Public Functionaries, &c., in *Savoy* and *Nice*.
15. Reimbursement by *France* of Loans to Provinces, &c., of *Savoy* and *Nice*. Sums to be reimbursed by *Sardinia*.
16. Execution of Convention.
17. Ratifications.*

(Translation.†)

Reference to Treaty of 24th March, 1860.

His Majesty the King of the French and His Majesty the King of Sardinia, wishing, in conformity with Article IV of the

* Ratifications exchanged at Paris, 4th October, 1860.

† For French Version see "State Papers," vol. l, p. 420.

Treaty concluded at Turin on the 24th March, 1860 (**No. 313**), to solve the several questions to which the Annexation of Savoy and the Arrondissement of Nice give rise, and to fix the contributive part of those Provinces in the Public Debt of Piedmont, had appointed a Commission to that effect.

Their said Majesties wishing to convert into a Definitive Convention the basis adopted by that Commission, have appointed as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, M. Adolphe Vuitry, President of section to the Council of State, &c.;

And His Majesty the King of Sardinia, M. Antoine, Count Nomis de Pollone, Senator of the Kingdom, &c.;

Who after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon the following Articles:

ARTS. I to XVII. (See Table.)

Done in duplicate at Paris, 23rd August, 1860.

(L.S.) AD. VUITRY.
(L.S.) A. DE POLLONE.

No. 323.—*CONVENTION between Great Britain, Austria, France, Prussia, Russia, and Turkey, respecting measures to be taken for the Pacification of Syria. Signed at Paris, 5th September*, 1860.

ART. TABLE.

Preamble. Disturbances in *Syria*.
1. European Troops to be sent to *Syria*.
2. Half the Troops to be furnished by *France*. The other half to be furnished by the High Powers.
3. Commander-in Chief to communicate with Commissioner Extraordinary of the Porte.
4. Naval Forces to be contributed by the High Powers.
5. Occupation of *Syria* by European Troops for 6 months.
6. Supplies and Provisions to be furnished by the Porte.
7. Ratifications.

(Translation as laid before Parliament.*)

Disturbances in Syria.

His Imperial Majesty the Sultan wishing to stop, by prompt and efficacious measures, the effusion of blood in Syria, and to show his firm resolution to establish Order and Peace amongst the Populations placed under his Sovereignty; and their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, His Royal Highness the Prince Regent of Prussia, and His Majesty the Emperor of All the Russias, having offered their active co-operation, which His Majesty the Sultan has accepted;

Their said Majesties and His Royal Highness have resolved to conclude a Convention to that effect, and have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable Henry Richard Charles Earl Cowley, Viscount Dangan, Baron Cowley, a Peer of the United Kingdom, Member of the Privy Council of Her Britannic Majesty, Ambassador Extraordinary and Plenipotentiary of Her said Majesty to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, Richard Prince of Metternich-Winneburg, Duke of Portella, Count of Königswart, a Grandee of Spain of the first class, Actual Chamberlain of His

* For French version, see "State Papers," vol. 1, p. 6.

Imperial and Royal Apostolic Majesty, his Ambassador Extraordinary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the French, M. Edward Anthony Thouvenel, a Senator of the Empire, his Minister and Secretary of State for the Department of Foreign Affairs, &c.;

His Royal Highness the Prince Regent of Prussia, the Prince Henry VII of Reuss-Schleiz-Köstritz, his Chargé d'Affaires *ad interim* at Paris, &c.;

His Majesty the Emperor of All the Russias, the Count Paul de Kisséleff, his Aide-de-Camp General, General of Infantry, Member of the Council of the Empire, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

And His Majesty the Emperor of the Ottomans, Ahmed Vefyk Effendi, his Ambassador Extraordinary to His Majesty the Emperor of the French, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:

European Troops to be sent to Syria.

ART. I. A body of European Troops, which may be increased to 12,000 men, shall be sent to Syria to contribute towards the re-establishment of tranquillity.

Half of the Troops to be furnished by France. The other Half to be furnished by the High Powers.

ART. II. His Majesty the Emperor of the French agrees to furnish, immediately, the half of this body of Troops. If it should become necessary to raise its effective force to the number stipulated in the preceding Article, the High Powers would come to an understanding with the Porte without delay, by the ordinary course of diplomacy, upon the designation of those among them who would have to provide it.

Commander-in-Chief to communicate with Commissioner Extraordinary of the Porte.

ART. III. The Commander-in-Chief of the Expedition will, on his arrival, enter into communication with the Commissioner Extraordinary of the Porte, in order to concert all the measures required by circumstances, and to take up the positions which

there may be occasion to occupy in order to fulfil the object of the present Convention.

Naval Forces to be contributed by the High Powers.

ART. IV. Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, His Royal Highness the Prince Regent of Prussia, and His Majesty the Emperor of All the Russias, promise to maintain sufficient Naval Forces to contribute towards the success of the common efforts by the re-establishment of tranquillity on the coast of Syria.

Occupation of Syria by European Troops for Six Months.

ART. V. The High Parties, convinced that such a period will be sufficient to attain the object of Pacification which they have in view, fix at 6 months the duration of the occupation of the European Troops in Syria.*

Supplies and Provisions to be furnished by the Porte.

ART. VI. The Sublime Porte undertakes to facilitate, as far as lies in her power, the furnishing supplies and provisions for the expeditionary corps.

Ratifications.†

ART. VII. The present Convention shall be ratified, and the Ratifications shall be exchanged at Paris within 5 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms

Done at Paris, the 5th of September, 1860.

(L.S.) COWLEY.
(L.S.) METTERNICH.
(L.S.) E. THOUVENEL.
(L.S.) REUSS.
(L.S.) KISSELEFF.
(L.S.) AHMED VEFYK.

* Occupation prolonged until 5th June, 1861, by a Convention dated 19th March, 1861.

† Ratifications exchanged at Paris, 18th October, 1860.

No. 324.—*DECREE of the King of Sardinia, uniting the Neapolitan Provinces to the Italian State. Naples, 17th December, 1860.*

(Translation.)

VICTOR EMANUEL II, King of Sardinia, of Cyprus, and of Jerusalem, &c., Duke of Savoy, and of Genoa, &c., Prince of Piedmont, &c.;

Whereas the "Plebiscito" submitted to universal suffrage in the Neapolitan Provinces convoked in the Comitia on the 21st October last;

Whereas the declaration of presentation and acknowledgment of such "Plebiscito" ensued in Naples the 8th November last;

Whereas the law of the 3rd instant, by which the Government of the King is authorised to accept and establish by Royal Decrees the Annexation to the State of those Provinces of Central and Southern Italy in which is manifest, by universal suffrage direct, the will to become an integral part of our Constitutional Monarchy;

Upon hearing the Council of Ministers,

We have decreed and do Decree:

ART. I. That the Neapolitan Provinces shall form an integral part of the Italian State, from the date of the present Decree.

ART. II. Article LXXXII of the Statute, whereby it is established that, until the first meeting of Parliament, the public service shall be provided for by the sovereign regulations, will also be applied to the above-named Provinces until the meeting of the National Parliament; the full powers which were conferred upon our Lieutenant-General of the Neapolitan Provinces continuing in force.

We ordain that the present Decree, bearing the Seal of State, shall be inserted in the Collection of the Acts of the Government, and published in the aforesaid Provinces; commanding all whom it may concern to observe it and have it observed.

Given at Naples, 17th December, 1860.

VICTOR EMANUEL.

C. CAVOUR and 7 others.

No. 325.—*DECREE of the King of Sardinia, uniting the Sicilian Provinces to the Italian State. Naples, 17th December*, 1860.

(Translation.)

VICTOR EMANUEL II, King of Sardinia, of Cyprus, and of Jerusalem, &c., Duke of Savoy and of Genoa, &c., Prince of Piedmont, &c.;

Whereas the "Plebiscito" submitted to universal suffrage in the Sicilian Provinces convoked in the Comitia on the 21st October last;

Whereas the declaration of presentation and acknowledgment of such "Plebiscito" ensued in Palermo the 2nd instant;

Whereas the Law of the 3rd instant, by which the Government of the King is authorised to accept and establish by Royal Decrees the Annexation to the State of those Provinces of Central and Southern Italy in which is manifest, by universal suffrage direct, the will to become an integral part of our Constitutional Monarchy;

Upon hearing the Council of Ministers,

We have decreed and do Decree:

ART. I. That the Sicilian Provinces shall form an integral part of the Italian State from the date of the present Decree.

ART. II. Article LXXXII of the Statute, whereby it is established that, until the first meeting of Parliament, the public service shall be provided for by sovereign regulations, shall also be applied to the above-named Provinces until the meeting of the National Parliament; the full powers which were conferred upon our Lieutenant-General of the Sicilian Provinces continuing in force.

We ordain that the present Decree, bearing the Seal of State, shall be inserted in the Collection of the Acts of the Government, and published in the aforesaid Provinces, commanding all whom it may concern to observe it, and cause it to be observed.

Given at Naples, 17th December, 1860.

VICTOR EMANUEL.

C. CAVOUR and 7 others.

No. 326.—*DECREE of the King of Sardinia, uniting the Provinces of Umbria to the Italian State. Naples, 17th December,* 1860.*

(Translation.)

Victor Emanuel II, King of Sardinia, of Cyprus, and of Jerusalem, Duke of Savoy and of Genoa, &c., Prince of Piedmont, &c.;

Whereas the "Plebiscito" submitted to universal and direct suffrage in the Provinces of Umbria convoked in the Comitia the 5th November last;

Whereas the declaration of presentation and acknowledgment of such "Plebiscito," ensued in Naples the 22nd November last;

Whereas the law of the 3rd instant, by which the Government of the King is authorised to accept and establish by Royal Decrees the Annexation to the State of those Provinces of Central and Southern Italy in which is manifest, by universal suffrage direct, the will to become an integral part of our Constitutional Monarchy;

Upon hearing the Council of Ministers,

We have decreed and do Decree:

Art. I. That the Provinces of the Umbria shall become an integral part of the Italian State from the date of the present Decree.

Art. II. Article LXXXII of the Statute, whereby it is enacted that, until the first meeting of Parliament the public service shall be provided for by sovereign regulations, shall also be applied to the above-named Provinces until the meeting of the National Parliament.

We ordain that the present Decree, bearing the Seal of State, shall be inserted in the Collection of the Acts of Government, and published in the aforesaid Provinces, commanding all whom it may concern to observe it, and cause it to be observed.

Given at Naples, the 17th December, 1860.

VICTOR EMANUEL.

C. Cavour, and 7 others.

* See Protest of the Pope of 24th March, 1860.

No. 327.—*DECREE of the King of Sardinia, uniting the Provinces of the Marches to the Italian State. Naples, 17th December*, 1860.*

(Translation.)

Victor Emanuel II, King of Sardinia, of Cyprus, and of Jerusalem, Duke of Savoy and of Genoa, &c., and Prince of Piedmont, &c.;

Whereas the "Plebiscito" submitted to universal and direct suffrage in the Provinces of the Marches, convoked in the Comitia the 4th and 5th November last;

Whereas the declaration of presentation and acceptation of such "Plebiscito" ensued in Naples, the 22nd day of the said November;

Whereas the law of the 3rd instant, by which the Government of the King is authorised to accept and establish, by Royal Decrees, the Annexation to the State of those Provinces of Central and Southern Italy in which is manifest, by universal and direct suffrage, the will to become an integral portion of our Constitutional Monarchy;

Upon hearing the Council of Ministers,

We have decreed and do Decree:

Art. I. That the Provinces of the Marches shall become an integral portion of the Italian State, from the date of the present Decree.

Art. II. Article LXXXII of the Statute, whereby it is enacted that, until the first meeting of Parliament, the public service shall be provided for by sovereign regulations, shall also be applied to the above-named Provinces until the meeting of the National Parliament.

We ordain that the present Decree, bearing the Seal of State, shall be inserted in the Collection of the Acts of Government, and published in the aforesaid Provinces, commanding all whom it may concern to observe it, and cause it to be observed.

Given at Naples, 17th December, 1860.

VICTOR EMANUEL.

C. Cavour, and 7 others.

* See Protest of the Pope of 24th March, 1860.

No. 328.—*TREATY between France and Monaco, for the Cession of Mentone and Roccabruna to France. Signed at Paris, 2nd February*, 1861.

ART. TABLE.

Preamble.
1. Cession by Prince of *Monaco* of *Mentone* and *Roccabruna* to *France* Boundary between *France* and *Monaco*.
2. Amount to be paid by *France* for the Cession of *Mentone* and *Roccabruna*.
3. Private Property of the Prince of *Monaco* not included in the Cession. Appointment of Mixed Commission.
4. Pensions to Officers and Civil Servants to be paid by *France*.
5. Repair, &c., of *Monaco* Road by *France*. Construction of Railway from *Nice* to *Genoa*, through the Territory of *Monaco*. Construction of a Road by *France* from *Nice* to *Monaco*.
6. Union of Custom-houses of *France* and *Monaco*. Special Act to regulate the Customs Union, &c., between the two States.
7. Inhabitants of *Mentone* and *Roccabruna* allowed to remove into Principality of *Monaco*.
8. Inhabitants of *Mentone* and *Roccabruna* allowed to retain service with Prince of *Monaco*.
9. Ratifications.

(Translation.)

THE negotiations which were commenced between His Majesty the King of Sardinia and His Most Serene Highness the Prince of Monaco, by the Good Offices of the Government of His Majesty the Emperor of the French, and with the assent of the other Powers, with the view to putting an end to the anomalous position in which the Communes of Mentone and Roquebrune (Roccabruna) had been placed since 1848 (**No. 210**), being found to be without an object, and null and void in consequence of the Union of the District of Nice to France (**No. 313**);

His Majesty the Emperor of the French, and His Most Serene Highness the Prince of Monaco, animated with a desire to put an end to a state of affairs as irregular as it is opposed to the interests of its inhabitants, have decided to conclude a Treaty to to this effect, and have appointed as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, M. Prosper Faugère, &c.; and His Most Serene Highness the Prince of Monaco, M. le Comte Serge Henry d'Avigdor, &c.;

Who after having exchanged their Full Powers, found to be in good and due form, have agreed upon the following Stipulations:

Cession by Prince of Monaco of Mentone and Roccabruna to France.

ART. I. His Most Serene Highness the Prince of Monaco renounces for ever, as well for himself as for his successors, in favour of His Majesty the Emperor of the French, all his Rights, direct or indirect, over the Communes of Mentone and Roccabruna, whatever be the origin and the nature of those Rights, except the reservation mentioned in Article III below.

Boundary between France and Monaco.

The line of demarcation between the Territory of the French Empire and that of the Principality of Monaco will be traced, as soon as possible, by a Mixed Commission, in consequence of the preceding arrangement.

Amount to be paid by France for the Cession of Mentone and Roccabruna.

ART. II. The Cession agreed upon in the preceding Article is made to His Majesty the Emperor of the French in consideration of a sum of 4,000,000 francs which shall be paid to His Most Serene Highness the Prince of Monaco in specie, 15 days after the exchange of the Ratifications of the present Treaty.

Private Property of the Prince of Monaco not included in the Cession.

ART. III. Private Property belonging to His Most Serene Highness the Prince of Monaco in the Communes of Mentone and Roccabruna, of which the Prince had been deprived in 1848 (**No. 210**), and which will be described by His Most Serene Highness, are not included in the Renunciation mentioned in Article I.

Appointment of Mixed Commission.

A Mixed Commission will be appointed to enquire into and point out such measures as may be deemed necessary in order to secure to the Prince the Privileges of this Reservation, without prejudicing the Rights of third parties. It is understood that the jurisdiction of this Commission is in no way separate from that

of the Courts, should it be found necessary to have recourse to them.

Pensions to Officers and Civil Servants to be paid by France.

ART. IV. His Majesty the Emperor of the French undertakes to grant half-pay or retiring Pensions to old Officers or Civil Servants in the service of the Prince of Monaco in the Communes of Mentone and Roccabruna, who will be selected by His Most Serene Highness, to the amount of an annual sum total of 4,000 francs. These Pensions will become extinct at the death of the holders.

Repair, &c., of Monaco Roads by France.

ART. V. His Majesty the Emperor of the French undertakes to keep in good condition and at his expense, enlarging it and putting it in order at those places which shall be agreed upon by the respective administrations, throughout its whole extent on the Roccabruna Territory, the Road already made which, starting from Nice to Genoa called de la Coniche, meets at the town of Monaco.

Construction of Railway from Nice to Genoa through the Territory of Monaco.

The Prince of Monaco binds himself to allow, on condition of a previous understanding between the respective administrations, in so far as regards the details of execution, without his being bound to any subsidy or guarantee of interest, the construction and working of that portion of the line of Railway in the Territory of Monaco which may be constructed from Nice to Genoa, and might cross the said Territory.

Construction of a Road by France from Nice to Monaco.

His Majesty the Emperor of the French undertakes on his part to construct as soon as possible a carriage Road from Nice to Monaco along the coast; it is understood that each of the two Governments will bear the expense of that portion of the Road belonging to his Territory.

Union of Custom-houses of France and Monaco.

ART. VI. A Customs Union shall be established between the French Empire and the Principality of Monaco.

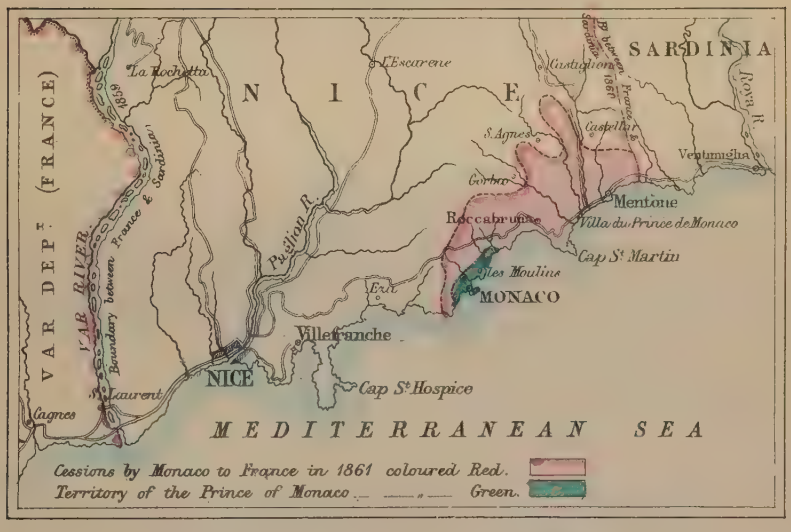
A Map to illustrate

THE TREATIES OF

7TH NOVEMBER 1817 AND 2ND FEBRUARY 1861.

Scale of English Miles.

0 2 4 6 8 10



MAP

MONACO

Special Act to regulate the Customs Union, &c., between the two States.

The conditions of this Union shall be regulated by a Special Act, as well as whatever relates to the sale of powder and tobacco, the Postal and Telegraph service, and in general the relations of good neighbourhood between the two Countries.

Inhabitants of Mentone and Roccabruna allowed to remove into Principality of Monaco.

ART. VII. The Subjects of His Serene Highness the Prince of Monaco, whether natives of Mentone and Roccabruna, or actually living in the said Communes, who shall intend to retain the Nationality of Monaco, shall enjoy for the space of one year, dating from the exchange of the Ratifications of the present Treaty, and by means of a Declaration made to the competent authority, the power of removing their residence into the Principality, and of establishing themselves there; in that case they will preserve their old Nationality.

They shall be at liberty to keep their Immoveable Property situated in the Territory of Mentone and Roccabruna.

Inhabitants of Mentone and Roccabruna allowed to retain Service with Prince of Monaco.

ART. VIII. The inhabitants of these two Communes, who are actually in the service of the Prince of Monaco, shall continue to remain in it without losing their position as French subjects, with the sole condition that they signify their intention in this respect to the Consular Agent of His Imperial Majesty at Monaco, within the space of 3 months, dating from the Ratification of the present Treaty.

*Ratifications.**

ART. IX. The present Treaty shall be ratified, and the Ratifications thereof shall be exchanged at Paris, within 10 days from the present date.

In witness whereof, the respective Plenipotentiaries have signed it, and have affixed thereto the Seals of their Arms.

Done at Paris, the 2nd February, in the year of Our Lord, 1861.

(L.S.) P. FAUGERE.
(L.S.) S. HY. D'AVIGDOR.

* Ratifications exchanged at Paris, 11th February, 1861.

No. 329.—*BOUNDARY TREATY between France and Sardinia. Signed at Turin, 7th March*, 1861.

ART. TABLE.

Preamble. Reference to Treaty of 24th March, 1860.
1. Detailed description of Boundary between the Duchy of *Savoy* and *Piedmont*.
2. Detailed description of Boundary on the side of the Arrondissement of *Nice*.
3 to 6. Rights of Proprietors on either side of the Boundary.
7. Misdemeanors on *Mont Cenis* and from *Colla Lunga* to *Mont Clapier* to be in charge of the *French* Gardes Champêtres.
8 & 9. *French* Agents to administer the Woods and Communes in the County of *Nice*.
10 to 14. Delays fixed for the free Export and Import of Produce.
15. Rights of Pasturage.
16. Annexes—Protocols and Maps.
17. Ratifications.

(Translation.*)

HIS Majesty the Emperor of the French and His Majesty the King of Sardinia, wishing, in execution of the Treaty concluded between them on the 24th March, 1860 (**No. 313**), to take the necessary steps so that the Limits, mentioned in general terms as henceforth separating the French Empire from the Royal States, may be fixed in a precise, detailed, and definitive manner, as well as in a spirit most in conformity with the interests of the subjects of the two Sovereigns, have entrusted Staff Officers of their Armies to proceed, in the capacity of Commissioners appointed to that effect, in the work of tracing the line of delimitation on the spot, and on the geographical plans, as well as in the local study and the preliminary description of the corrections, exchanges, and special arrangements to be stipulated, either to establish a suitable demarcation, or to favour on both sides the Border Proprietors on grounds of common equity; those Commissioners having performed their mission in conformity with the Instructions which they had received, their said Majesties have resolved to conclude, on the basis above mentioned, a Boundary Convention

* For French version, see "State Papers," vol. li, p. 685.

between the two respective States, and they have for that purpose appointed Commissioners, namely:

His Majesty the Emperor of the French, M. le Comte Aloys de Rayneval, his Chargé d'Affaires at Turin, &c.;

And His Majesty the King of Sardinia, M. Dominique Carutti de Cantogno, Secretary-General of the Ministry for Foreign Affairs of Sardinia, &c.;

Who, after having reciprocally communicated their Full Powers, found to be in good and due form, have agreed upon the following Articles:

ARTS. I to XV. (See Table.)

ART. XVI. *Annexes—Protocols and Maps.*

No. 1. Protocol signed at Paris, 27th June, 1860.

No. 2. Two Protocols signed, the one at Nice, 26th November, 1860, and the other at Turin, 16th February, 1861.

No. 3. The Map at $\frac{50}{1000}$ of the Frontier of Savoy, from Mount Grapillon on the Swiss side, to Mont Tabor, where the Limit of Savoy joins the Frontier of France.

No. 4. The Sketches at $\frac{10}{1000}$ of the defiles of Little Saint Bernard and of the two Mont Cenis, which shall be replaced by regular Plans on the same scale.

No. 5. The Map at $\frac{50}{1000}$, from Enchastraye to the summit of Colla Lunga.

No. 6. The Plans at $\frac{10}{1000}$, from the summit of Colla Lunga to the sea.

No. 7. The figurative Drawing of the Stakes.

The Documents Nos. 3, 4, 5, 6, and 7 are countersigned by the French and Sardinian Commissioners.

*Ratifications.**

ART. XVII. The present Convention shall be ratified by His Majesty the Emperor of the French and by His Majesty the King of Sardinia, and the Ratifications thereof shall be exchanged at Turin within one month, or sooner, if possible.

In testimony whereof the Plenipotentiaries have signed it and have affixed thereto the Seal of their Arms.

Done in duplicate at Turin, 7th March, 1861.

(L.S.) C. A. DE RAYNEVAL.
(L.S.) CARUTTI.

* Ratifications exchanged at Turin, 16th March, 1861.

No. 330.—*LAW announcing the assumption by the King of Sardinia of the Title of King of Italy. Turin, 17th March,* 1861.

(Translation.)

VICTOR EMANUEL II, King of Sardinia, Cyprus, Jerusalem, &c.

The Senate and the Chamber of Deputies have approved,

We have sanctioned and published as follows:

Sole Article.

King Victor Emanuel II assumes for himself and his Successors the Title of King of Italy.

We order that the present, sealed with the Seal of the State, be inserted in the Collection of the Acts of Government, ordering all whom it may concern to observe it and to cause it to be observed as a Law of the State.

Done at Turin, 17th March, 1861.

VICTOR EMANUEL.

C. CAVOUR and 7 others.

On the 30th March, 1861, the British Government recognised this Title, "acting on the principle of respecting the Independence of the Nations of Europe."

In March and April, 1861, the Grand Duke of Tuscany, the Dukes of Modena and Parma, and the Pope of Rome, protested against the Assumption of this Title by King Victor Emanuel.

No. 331.—*CONVENTION between Great Britain, Austria, France, Prussia, Russia, and Turkey, prolonging the European Occupation of Syria. Signed at Paris, 19th March,* 1861.

ART. TABLE.

Preamble. Reference to Convention of 5th September, 1860.
1. Prolongation of the Occupation of *Syria*.
2. Stipulations of Convention of 5th September, 1860, to continue in force.
3. Ratifications.

(Translation as laid before Parliament.*)

Reference to Convention of 5th September, 1860.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of All the Russias, and the Emperor of the Ottomans, having, after the exchange of explanations between their respective Governments, agreed to modify, by common consent, the Convention concluded between them on the 5th of September last (**No. 323**), have for that purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard Charles Earl Cowley, her Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of Austria, M. Richard Prince of Metternich-Winneburg, his Ambassador Extraordinary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of the French, M. Edward Anthony Thouvenel, his Minister and Secretary of State for the Department of Foreign Affairs, &c.;

His Majesty the King of Prussia, M. Albert Alexander Count de Pourtalès, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.;

His Majesty the Emperor of All the Russias, M. Paul Count de Kisséleff, his Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c.;

And His Majesty the Emperor of the Ottomans, Ahmed

* For French version, see "State Papers," vol. li, p. 9.

Vefyk Effendi, his Ambassador Extraordinary to His Majesty the Emperor of the French, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:

Prolongation of the Occupation of Syria.

ART. I. The duration of the European Occupation in Syria shall be prolonged until the 5th of June of the present year, at which date it is understood between the High Contracting Parties that it shall have reached its term, and that the Evacuation shall have been effected.

Stipulations of Convention of 5th September, 1860, to continue in Force.

ART II. The stipulations contained in the second Article of the Convention of the 5th September, 1860 (**No. 323**), in so far as they have not yet been executed, or as they are not modified by the present Convention, shall continue in force during the period which will elapse between the date of the signature of the present Act and the 5th of June of the present year.

*Ratifications.**

ART. III. The present Convention shall be ratified, and the Ratifications shall be exchanged at Paris in 5 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Paris, the 19th of March, 1861.

(L.S.) COWLEY.
(L.S.) METTERNICH.
(L.S.) THOUVENEL.
(L.S.) A. POURTALES.
(L.S.) KISSELEFF.
(L.S.) AHMED VEFYK.

* Ratifications exchanged at Paris, 18th May, 1861.

No. 332.—*TREATY between Great Britain, Austria, Belgium, Brazil, Denmark, France, Mecklenburg-Schwerin, the Netherlands, Portugal, Prussia, Russia, Spain, Sweden and Norway, and the Hanse Towns, on the one part, and Hanover on the other part, for the Redemption of the Stade Toll. Signed at Hanover, 22nd June, 1861.**

ART. TABLE.

Preamble. Navigation of the *Elbe*.

1. Abolition of *Stade* or *Brunshausen* Toll. No new Tax to be substituted for the Suppressed Duty. Vessels not to be subject to any control on account of discontinued Duty. Abolition of Duty only applicable to Powers signing or acceding to the Treaty.
2. Preservation of Works on the *Elbe*. No charges to be made by *Hanover* for Preservation of Works.
3. Date of operation of Articles I and II.
4. Compensation to be made by the Powers for sacrifices made by *Hanover*.
5. Manner, Place, and Time of Payments. Interest to be Paid.
6. Sanction of Constitutional Laws to be obtained by High Contracting Parties.
7. Ratifications.

Protocols annexed to Treaty of 22nd June, 1861.

Security for non-execution of engagements in Articles VI and VII.

Extracts from Protocol (No. 3) of a Conference held at Hanover, 19th June, 1861.

Security to be given to *Hanover*. Declarations made by *Hanover* and *Hamburgh*.

(Translation as laid before Parliament.†)

Preamble. Navigation of the Elbe.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians, His Majesty the Emperor of Brazil, His Majesty the King of

* A separate Treaty was concluded between Hanover and the United States, on the 6th November, 1861. The Elbe Duties were abolished by a Treaty between Austria and Germany, dated 22nd June, 1870.

† For French Version, see "State Papers," vol. li, p. 27.

Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Majesty the King of the Netherlands, His Majesty the King of the Kingdom of Portugal and the Algarves, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, King of Poland, Grand Duke of Finland, His Majesty the King of Sweden and Norway, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, on the one part;

And His Majesty the King of Hanover, on the other part;

Being equally animated with the desire to facilitate and promote the relations of Commerce and Navigation between their respective dominions, have resolved to conclude a Treaty, with a view to relieve the Navigation of the Elbe from the Duty known under the denomination of the Stade or Brunshausen Toll, and have for that purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Henry Francis Howard, Esquire, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Frederic Hugh, Count of Ingelheim Echter de Mespelbrunn, his Privy Councillor and Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the King of the Belgians, the Sieur John Baptist Baron Nothomb, his Minister of State, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the Emperor of Brazil, the Sieur Marcos Antonio Chevalier d'Araujo, a Member of his Council, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the King of Denmark, the Sieur Charles Ernest John de Bülow, his Major-General and Chamberlain, his Envoy on an Extraordinary Mission to His Majesty the King of Hanover, &c.;

Her Majesty the Queen of Spain, the Sieur Vizente Gutierrez Chevelier de Terán, her Secretary of Cabinet, her Minister Resident to His Majesty the King of Denmark, &c.;

His Majesty the Emperor of the French, the Sieur Joseph

Alphonse Paul Baron de Malaret, his Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the King of Hanover, the Sieur Adolphus Charles Lewis Count of Platen-Hallermund, his Minister of State for Foreign Affairs, &c.;

His Royal Highness the Grand Duke of Mecklenburg-Schwerin, the Sieur Otho Henry Jasper de Wickede, his Councillor in the Department of Finance;

His Majesty the King of the Netherlands, the Sieur Anthony John Lucas Baron Stratenus, his Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the King of the Kingdom of Portugal and the Algarves, Don Francisco d'Almeida Portugal Count of Lavradio, President of the Chamber of Peers, his Actual Councillor of State and Honorary Minister of State, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of Prussia, the Prince Gustavus d'Ysenbourg and Budingen, his Lieutenant-Colonel attached to the First Regiment of Dragoons of the Guard, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the Emperor of All the Russias, King of Poland, Grand Duke of Finland, the Sieur John Persiany, his Privy Councillor, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Hanover, &c.;

His Majesty the King of Sweden and Norway, the Sieur Charles Adolphus Sterky, his Minister Resident on a Special Mission to His Majesty the King of Hanover, his Minister Resident and Consul-General to the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, &c.;

The Senate of the Free Hanseatic City of Lubeck, the Sieur Theodore Curtius, Doctor of Laws, and Senator of that City;

The Senate of the Free Hanseatic City of Bremen, the Sieur Otho Gildemeister, a Senator of that City;

The Senate of the Free Hanseatic City of Hamburgh, the Sieur Charles Hermann Merck, Doctor of Laws, a Syndic of the said City;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

ART. I. His Majesty the King of Hanover engages to Her

Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians, His Majesty the Emperor of Brazil, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Majesty the King of the Netherlands, His Majesty the King of the Kingdom of Portugal and the Algarves, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, King of Poland, Grand Duke of Finland, His Majesty the King of Sweden and Norway, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburgh, who accept such engagement.

Abolition of Stade or Brunshausen Toll.

I. To abolish completely and for ever the Duty hitherto levied upon the Cargoes of Vessels which, in ascending the Elbe, pass the mouth of the River Schwinge, which Duty is generally known under the name of the Stade or Brunshausen Toll.

No new Tax to be substituted for the suppressed Duty.

2. Not to substitute for the Duty, the suppression of which is stipulated by the preceding paragraph, any new Tax, of whatever nature, with regard either to the Hull or the Cargo, upon Vessels which shall ascend or descend the Elbe.

Vessels not to be subject to any Control on account of discontinued Duty.

3. Not henceforth to subject, under any pretence whatever, Vessels which shall ascend or descend the Elbe, to any measure of control relating to the discontinued Duty.

Abolition of Duty only applicable to Powers signing or acceding to the Treaty.

It is, however, well understood that the above-mentioned Arrangements shall be obligatory only with regard to the Powers which are parties to the present Treaty, or may accede thereto; His Majesty the King of Hanover expressly reserving to himself the right to regulate, by special Arrangements, not involving Visit or Detention, the treatment in regard to Duties

and Customs, of Vessels belonging to Powers which have not or shall not become parties to this Treaty.

ART. II. His Majesty the King of Hanover engages, moreover, to the above-mentioned High Contracting Parties:

Preservation of Works on the Elbe.

1. To take care, as hitherto, and according to his actual obligations, of the Preservation of the Works which are necessary to the Free Navigation of the Elbe.

No Charges to be made by Hanover for Preservation of Works.

2. Not to introduce, by way of compensation for the expenses resulting from the execution of such engagement, any Charge whatever in the stead and place of the Stade or Brunshausen Duty.

Date of Operation of Articles I and II.

ART. III. The Engagements contained in the two preceding Articles shall come into operation from and after the 1st July, 1861.

Compensation to be made by the Powers for Sacrifices made by Hanover.

ART. IV. As Compensation for the Sacrifices which the stipulations above mentioned will impose upon His Majesty the King of Hanover, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians, His Majesty the Emperor of Brazil, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Majesty the King of the Netherlands, His Majesty the King of the Kingdoms of Portugal and the Algarves, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, King of Poland, Grand Duke of Finland, His Majesty the King of Sweden and Norway, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburgh, engage, on their part, to pay to His Majesty the King of Hanover, who accepts the same, a total sum of 2,857,338⅔ German thalers, to be thus assessed:

[Stade Toll.]

	German thalers.
Upon Great Britain	1,033,333⅓
,, Austria	1,273
,, Belgium	19,413
,, Bremen	40,334
,, Brazil	1,013
,, Denmark	209,543
,, Spain	37,789
,, France	71,166
,, Hamburgh	1,033,333⅓
,, Lubeck	8,885
,, Mecklenburg	15,855
,, Norway	64,258
,, Netherlands	169,963
,, Portugal	16,213
,, Prussia	34,489
,, Russia	7,983
,, Sweden	92,495

It is fully understood that each of the High Contracting Parties shall be eventually responsible only for the share placed to its own charge.

Manner, Place, and Time of Payments.

Art. V. With regard to the Manner, the Place, and the Time of Payment of the different quotas, it is agreed that Payment shall be made in German thalers, at Hanover or at Hamburgh, at the option of the paying Government, and within the term of 3 months from the 1st July, 1861. Separate Arrangements may, nevertheless, be made with a view to extend the term above mentioned, or to provide for payment by annuities.

Interest to be Paid.

The payment of Interest, at the rate of 4 per cent. upon the capital, shall be obligatory from the 1st October, 1861, for payments in one sum; and from the 1st July, 1861, for payments in Instalments.

Constitutional Sanction to be obtained by High Contracting Parties.

Art. VI.* The execution of the reciprocal Engagements contained in the present Treaty is expressly declared to be subject to

* See Protocol, next page.

the fulfilment of the Formalities and Rules prescribed by the Constitutional Laws of those of the High Contracting Parties for whom such a sanction is needful, and who engage to take measures for obtaining the same with the least possible delay.

*Ratifications.**

ART. VII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Hanover before the 1st July, 1861, or as soon as possible after that date.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at Hanover, the 22nd day of June, in the year 1861.

(L.S.) PLATEN-HALLERMUND.
(L.S.) HENRY FRANCIS HOWARD.
(L.S.) F. INGELHEIM.
(L.S.) NOTHOMB.
(L.S.) ARAUJO.
(L.S.) J. v. BULOW.
(L.S.) V. G. DE TERAN.
(L.S.) MALARET.
(L.S.) OTTON DE WICKEDE.
(L.S.) STRATENUS.
(L.S.) C. DE LAVRADIO.
(L.S.) LE PRINCE GUSTAVE D'YSENBOURG.
(L.S.) PERSIANY.
(L.S.) C. A. STERKY.
(L.S.) TH. CURTIUS, DR.
(L.S.) GILDEMEISTER.
(L.S.) C. H. MERCK, DR.

PROTOCOLS *annexed to Treaty of 22nd June*, 1861.

(Translation as laid before Parliament.†)

Security for Non-execution of Engagements in Articles VI and VII.

IN case it should not be possible for the execution of the Engagements contained in Articles VI and VII of the Treaty of this date to take place before the 1st July, 1861, it is understood

* Ratifications exchanged at Hanover, 30th June, 1861.

† For French version, see "State Papers," vol. li, p. 32.

that the Hanoverian Government shall retain the right to maintain provisionally after that date, by taking Security, the Duty which it has engaged to abolish; but as soon as any of the Contracting Powers shall have fulfilled the said engagements, the Hanoverian Government shall, on its part, terminate the provisional measure of taking Security, and shall direct the discharge of such Securities with regard to Goods conveyed in the Vessels of such Power. The Hanoverian Government may, nevertheless, until all the Contracting Parties shall have definitively accomplished the Engagements contained in Articles VI and VII, require from exempted Vessels the verification of their nationality, without, however, thereby occasioning to such Vessels any delay or detention.

Done at Hanover, the 22nd June, 1861.

(L.S.) PLATEN-HALLERMUND.
(L.S.) HENRY FRANCIS HOWARD.
(L.S.) F. INGELHEIM.
(L.S.) NOTHOMB.
(L.S.) ARAUJO.
(L.S.) J. v. BULOW.
(L.S.) V. G. DE TERAN.
(L.S.) MALARET.
(L.S.) OTTON DE WICKEDE.
(L.S.) STRATENUS.
(L.S.) C. DE LAVRADIO.
(L.S.) LE PRINCE GUSTAVE D'YSENBOURG.
(L.S.) PERSIANY.
(L.S.) C. A. STERKY.
(L.S.) TH. CURTIUS, Dr.
(L.S.) GILDEMEISTER.
(L.S.) C. H. MERCK, Dr.

Extracts from Protocol (No. 3) of a Conference held at Hanover, 19th June, 1861.

(Translation as laid before Parliament.*)

Security to be given to Hanover. Declarations made by Hanover and Hamburgh.

The Conference proceeds to the examination of the draft of Protocol intended to regulate the temporary state of things until

* For French Version, see "State Papers," vol. li, p. 33.

the definitive accomplishment by all the Contracting Powers of the engagements contained in Articles VI and VII of the Treaty.

The Protocol is read by the Count de Platen.

The Delegate of Hanover deems it unnecessary to say anything in support of a draft which is in all points conformable to the Protocol signed on occasion of the Abolition of the Sound Dues.

The Delegate of the Netherlands remarks that it will be necessary to ascertain the manner in which the Government of Hanover proposes to execute the measure of taking Security contemplated by the draft. Referring to the Circular issued by the Direction of the Customs of the Sound on the 29th March, 1857, which, though not included in the negotiations properly so called, did not the less bear a certain international character, he expresses the desire that Hanover would adopt an administrative arrangement analogous to that measure of the Danish Government. The Government of the Netherlands can only admit the Protocol subject to such a reservation.

The Count de Platen-Hallermund replies that the Government of Hanover, with an earnest wish to accommodate as much as possible all interests concerned, is ready to adopt an expedient which would consist in leaving to the parties the option of making a deposit in cash, or of giving security through a broker residing in the port of destination, whose solvency is known to the Toll office, and who, instead of the papers and documents prescribed in § 8 *b* of the Regulation of the 13th April, 1844 (**No. 198**) (relative to the Stade or Brunshausen Toll) would have only to give a simple note of hand (*cédule*), retaining his remedy against the proper person with regard to the amounts specified therein.

The Conference decides unanimously to accept the proposition of the Delegate of Hanover, which shall be inserted in the *procès-verbal* of the sitting.

The Protocol is put to the vote, and unanimously adopted, after the date of the 1st of July had been inserted therein.

The Plenipotentiary of Great Britain then spoke in the following terms:

"The Conference has happily decided upon the Draft of Treaty by which the Stade Toll will be abolished, and Hanover takes the engagements contained in Article II thereof. I think that as there are two other Riverain States represented in the Conference, it would be well to ascertain in what manner their Governments

intend to act in future relative to the maintenance of the Free Navigation of the River.

"I therefore take the liberty of asking each of those Plenipotentiaries whether it is in their power to give explanations on this subject."

The Plenipotentiary of His Majesty the King of Denmark reads the following Declaration:

"The Plenipotentiary of His Majesty the King of Denmark declares that his Government engages to maintain in future, as in the past, so far as it is concerned, the Works serving to maintain the Navigability of the Elbe, without imposing, by way of compensation, any new Duty whatever, either upon the Hull of Vessels which shall ascend or descend that River, or upon their Cargoes."

The Plenipotentiary of Hamburgh, responding on his side to the invitation of the Plenipotentiary of Great Britain, says that he might, perhaps, contest the competency of the Conference to deal with the question thus raised. He will, however, abstain from doing so. In consequence, he has the honour to make, in the name of the Senate, the following Declaration:

"The Plenipotentiary of the Free City of Hamburgh declares that the Abolition of the Stade Toll will never be for that city a motive for altering the actual state of things relative to the maintenance at its expense of the Navigability of the Elbe from Hamburgh to the sea, which state of things will subsist in all respects without alteration."

At the request of the Plenipotentiary of the Netherlands, the Conference decides that the Declarations which have been read shall be textually inserted in the Protocol of the sitting, as well as the explanations of the Plenipotentiary of Great Britain which gave rise to them.

No. 333.—*CONVENTION between Italy and Switzerland, for the Settlement of the Disputed Frontier between Lombardy and the Canton of Ticino. Signed at Lugano, 5th October*, 1861.

ART. TABLE.

Preamble. Reference to Treaty of *Varese* of 2nd August, 1752. Boundary between ex-Duchy of *Milan* and the ex-Bailiwicks of *Locarno*, *Lugano*, and *Mendrisio*.

1. Commissioners to be guided by the Treaty of *Varese* of 2nd August, 1752.
2. Communal Limits to be recognised.
3. Territorial Landmarks.
4. Commission only to define Frontier Lines between State and State.
5. Plans of 1845, if correct, to be used to define New Frontier. Question I: Locality called *Pairolo*. Text of the Treaty. Modification by the Commission. Question II: Locality called *Pian Biscagno*. Text of the Treaty. Modification by the Commission. Question III: Locality called *Sasso Rosso*. Text of the Treaty. Modification by the Commission. Question IV: Locality called *Pra del Gaggio*. Text of the Treaty. Modification by the Commission. Question V: Locality called *Valle Rovina*. Text of the Treaty. Modification by the Commission. Question VI: Locality called *Colmo di Creccio*. Text of the Treaty. Modification by the Commission. Question VII: Locality called *Farm Pianazzo*. Text of the Treaty. Modification by the Commission. Question VIII: Landmarks along the Torrent *Vallinera*. Text of the Treaty. Modification by the Commission. Question IX: Course of the *River Tresa*. Text of the Treaty. Modification by the Commission. Question X: Locality called *Bocca-Nave*. Text of the Treaty. Modification by the Commission. Question XI: Boundaries between the Commune of *Campione* and the *Swiss* Territory.

(Translation.)

Reference to Treaty of Varese of 2nd August, 1752. *Boundary between ex-Duchy of Milan and the ex-Bailiwicks of Locarno, Lugano, and Mendrisio.*

THE Frontier between Lombardy and the Canton of Ticino, the one belonging to the Kingdom of Italy and the other to the Helvetic Confederation, is regulated by the Treaty of Varese of 2nd August, 1752, between Her Majesty the Empress Maria Theresa of Austria and the 12 Cantons of the Helvetic League ruling on this side the mountains. That Treaty, with its corre-

sponding explanations and specifications, provides for the determination of the Frontier between the ex-Duchy of Milan and the ex-Bailiwicks of Locarno, Lugano, and Mendrisio. Some disputes having arisen, in the progress of time, as to the course of that Frontier, whether from the alteration of the Boundury lines indicated, or from the not very precise specifications of the above-mentioned Treaty, or because some parts of the said Frontiers (such as those appertaining to the Lombard Commune of Campione, then a fief of the Abbey of St. Ambrose at Milan), were not taken account of in the Treaty, the Italian and Swiss Governments have agreed to proceed to a definitive settlement of the said dissensions. In consequence whereof, the following persons have been appointed Commissioners for the purpose:

On the part of His Majesty the King of Italy, the noble Cavalier Luigi Torelli, Governor of the Province of the Valtelline, &c.; the noble Cavalier Ezio De-Vecchi, Lieutenant-Colonel in the Royal Staff, &c.; and Signor Paolo Turconi, Departmental Chief in the Ministry of Finance;

On the part of the Swiss Confederation, M. Emanuel Bourgeois-Doxat, Federal Colonel; and M. Charles Battaglini, Advocate Member of the Grand Council of the Canton of Ticino;

Who, when they had assembled at Lugano on the 11th of September, 1861, and had exchanged their Full Powers, which were found in good and due form, constituted themselves as a Commission, under the Presidency of Federal Colonel Bourgeois-Doxat. Lieutenant-Colonel De-Vecchi was appointed to perform the duties of Secretary.

The Commission immediately began its operations, and agreed to adopt the following rules as the basis of the work of Delimitation:

Commissioners to be guided by the Treaty of Varese of 2nd August, 1752.

Art. I. The principal document which is to serve as a guide to the Commission in tracing out the true situation of the Boundaries between the Italian and Swiss States at the disputed parts, is the Treaty of Varese of 1752, together with the Boundary Specifications which have succeeded it, and the plans by which it is accompanied. This Convention, therefore, does not constitute a new Treaty, but simply an elucidation of the doubtful points of the preceding one. Consequently the descrip-

tions and decisions which it shall hereby be agreed to apply to the points in dispute, shall be considered as interpolated in the Treaty of Varese at the parts to which they refer; and wherever nothing is said to the contrary, it is understood that the Treaty itself continues in full force.

Communal Limits to be recognised.

ART. II. At the parts of the Frontier not treated of in the Treaty of Varese, the Commission will endeavour to adopt, as the State Limits, the Communal Limits already recognised.

Territorial Landmarks.

ART. III. Where it shall be thought necessary to set up new Territorial Landmarks for the definition of the Frontier at the disputed parts, they shall bear inscriptions similar to those already existing according to the Treaty of Varese, and their numbers, with the additions of a fraction, shall be interpolated in the progressive numeration of the latter; when the Landmarks mentioned in the Treaty of Varese are found to be wanting they shall be restored.

Commission only to define Frontier Lines between State and State.

ART. IV. The Commission agrees to confine its business to the definition of the Frontier lines between State and State, so far as regards the question of Sovereignty. It is settled that the Limits fixed for the respective Sovereign Jurisdictions of the two States shall, at the same time, mark those of the Communal Jurisdictions of the Frontier Communes, but it is not intended in any way to prejudice any question of Property, whether Communal or Private; such questions will still devolve altogether on the judicial authorities of the States wherein the Lands in question are comprised. The Commission even declares that its decisions are not to be taken either as proof or partial proof of Possessive Rights, whether of Communes or Private Persons, to Lands where such Rights are uncertain, and the ownership disputed.

Plans of 1845, *if correct, to be used to define New Frontier.*

ART. V. Some detailed Plans of the most important Lands in dispute, which were drawn by direction of the Austro-Swiss International Commission which was engaged on the question

in 1845, without coming to any agreement, may, if admitted to be exact representations of the Territory, be employed for the elucidation of the text in the definition of the new Frontiers, the agreements come to being graphically represented thereon. Those Plans shall then form an accompaniment to the textual descriptions, and like them shall be attested by the Commission.

These preliminaries having been agreed to, the Commission proceeded by means of examination of the documents and visitation of the ground in company with the communal authorities interested, to settle the frontiers at the disputed parts; and the following are the results arrived at, which are here set down, with a statement of the locality of the question and the communes interested, while over against them are placed the specificatory Articles of the Treaty of Varese which are modified thereby.

Question 1.

Locality called Pairolo.

Of the place called del Pairolo, between the Lombard Commune of Puria and the Swiss Commune of Sanvico.—Treaty of Varese.—Specification of Porlezza, 25th August, 1754, paragraph 13, line 1, plan X of the Treaty of Varese.

Text of the Treaty.

From the said height called l'Arrabione, turning to the right between south and west as far as the summit and rocks called di Noresso, thence descending to the place denominated il Pianone, and then ascending again to the other summit, called del Noresso, following always the crest of the mountains up to the top of the rocks called dei Pozzetti, or to the summit of Pairolo, then descending to a plain in the vicinity of the locality which is called the Pairolo, which is a hollow of a spherical shape about 8 trabucchi deep and about 15 trabucchi in diameter, which locality all remains in the Valsolda, and from that place ascending the hill called del Pairolo up to the summit of the rocks of the Parazzo.

Modification by the Commission.

From the said height called l'Arrabione, turning to the right between south and west as far as the summit and rocks called di Noresso, thence descending to the place denominated il Pianone,

and then again ascending to the other summit called del Noresso, following always the crest of the mountains to the top of the rocks called dei Pozzetti, on to the summit of the Pairolo, then descending by the ridge dividing the waters to the plain called del Pairolo, traversing that plain at 7 metres from the northern edge of the circular excavation which is all in Valsolda, and again ascending along the dominant crest of the Pairolo up to the summit of the rocks of the Parazzo.

Question II.

Locality called Pian Biscagno.

Of the place called Pian Biscagno, between the Lombard Commune of Albogasio and the Swiss Commune of Cadro.—Treaty of Varese.—Specification of Porlezza, 25th August, 1754, paragraph 13, line 14, plan X of the Treaty of Varese. Plan annexed No. 1, red.

Text of the Treaty.

. . . . Thence proceeding to the higher rock called the Great Rock, or Preda-Grossa, which with its summit also divides the two Swiss Territories of Sanvico and Cadro, and descending from that summit, still towards the west, by the crest of the mountains as far as the Pian Biscagno, then with a little turn towards the north, going to the place called della Fornace, and from that place rising between south and west as far as the highest summit, called the Colma Regia.

Modification by the Commission.

. . . . Thence proceeding to a higher rock, called the Great Rock, or Preda-Grossa, which with its summit also divides the two Swiss Territories of Sanvico and Cadro, it will descend from the said rock still towards the west by the crest of the mountains, as far as the spot where that crest terminates and the Pian Biscagno begins. The Landmark No. $7\frac{1}{4}$ is there. Then turning off a few degrees to the south, the line of the Landmark No. $7\frac{1}{2}$ is to be taken, which is situated at the end of the said plain, where the side of the Colma Regia shows itself; then by that side till the highest summit of the said Mountain is reached.

Both the Landmarks above mentioned are of sarizzo, 30 centimetres square, and rising 60 centimeters out of the ground. Besides the respective numbers, they bear the date 1861, and

the letters A. I. (Albogasio Italia) on the Italian side, and C. S. (Cadro Svizzero) on the Swiss side.

Question III.

Locality called Sasso Rosso.

Of the place called il Sasso Rosso, between the Lombard Commune of Albogasio and the Swiss Commune of Brè.—Treaty of Varese.—Specification of Porlezza, 25th August, 1754, paragraph 13, line 23.—Plan annexed No. 11, red.—Plan X of the Treaty of Varese.

Text of the Treaty.

. . . . From the Colma Regia following the said Colma to its termination, and there turning to the left and descending southward to the height called il Sasso Rosso, where the territory of Brè ends, and that of the borough of Lugano begins; thence continuing the descent along a Valley called dell' Orocco, and which at its bottom divides the Val Solda from the Territory of the Borough of Lugano, till the Lake is reached called the Lake of Lugano.

Modification by the Commission.

. . . . From the Colma Regia, following the said Colma to its termination, and there turning to the right for a length of about 80 metres, it is to proceed then along the Valley dell' Orocco, whose longest and best marked branch begins just at that point; and it will continue along the deepest part thereof to the Lake of Lugano.

Question IV.

Locality called Pra del Gaggio.

Of the place called the Pra del Gaggio between the Lombard Communes of Ramponio and Lanso, and the Swiss Commune of Gandria.—Treaty of Varese.—Specification of Porlezza, 25th August, 1754, paragraph 22, line 1.—Plan XII of the Treaty of Varese.—Plan annexed No. 3, red.

Text of the Treaty.

From that Landmark, ascending as far as the height called del

Pra di Gaggio for the distance of 62 trabucchi, there is found a Landmark of wrought sarizzo, 18 inches out of the ground, 6 inches wide and 3 inches thick, it has a cross cut on each side with the letter L. towards the south and below the figures 722, recently the No. 13 with the letter M. opposite the L., signifying Lanzo Milanese, has been cut thereon, and on the opposite part the letter R., indicating Rampogno, whilst the letter G., signifying Gandria, has been cut on the western side. The said Landmark divides the two Territories of Lanzo and Rampogno, and also marks the Territorial Boundary of Swiss Gandria.

From the aforesaid Landmark going westward along the course of the said curved and winding road called della Bolla, which goes as far as the square of Val Rovina for the length of 330 trabucchi, there was found a displaced Landmark of rough sarizzo, with a cross and the figures 723 thereon; that Landmark has been refixed with its indications, and it has had the No. 14 with the letter L. cut on the southern side and the letter G. on the northern, which denote Lanzo and Gandria. It is 7 inches out of the ground, 4 inches wide, and an inch and a half thick.

Modification by the Commission.

From that Landmark (that is from the No. 12) the Frontier ascends in the same direction (that is towards the south) for the length of about 160 metres up to the height called di Pra di Gaggio; and there is found a Landmark of wrought sarizzo on which is cut a cross on both sides, with the letters L. M. (Lanzo Milanese), and the No. 13 on one side, besides the old No. 722; on another the letter R. (Rampogno), and on a third the letter G. (Gandria). This Landmark, which was found leaning, has been again set upright. From this the Frontier goes in a direct line to the west for the length of about 200 metres, almost parallel and at a mean distance of about 25 metres from the summit of the mountain. At the level of a little building for rustic use, and at the distance of 26 metres from its northern corner, the new Landmark No. 13$\frac{1}{3}$ has been set up. From thence continuing westward for about 210 metres more, to the point where the della Bolla road changes its direction (turning towards the farm called the Piano d'Orano), and on the eastern border of that road the new Landmark No. 13$\frac{2}{3}$ is set up. The aforesaid road, della Bolla, continues to form the Frontier, remaining common to the two States, for the length of about 560 metres, to the square of

Valle Rovina, in place of the old Landmark No. 14, which was displaced and much decayed, a new one has been set up, bearing the same No. These three Landmarks, newly set up with their respective indications, are of sarizzo; and bear, besides their proper numbers, the letters L. I. (Lanzo Italia) on the Italian side, and G. S. (Gandria Svizzera) on the Swiss side. They are 50 centimetres out of the ground.

Question V.

Locality called Valle Rovina.

Of the place called Valle Rovina, between the Lombard Commune of Lanzo and the Swiss Communes of Gandria and Castagnola.—Treaty of Varese.—Specification of Porlezza, 25th August, 1754, paragraph 24, line 1.—Plan XII of the Treaty of Varese.—Plan annexed No. 4, red.

Text of the Treaty.

From the above-mentioned Landmark placed in the square of Valle Rovina, turning southward and following the said road (which takes the name of Val Rovina road) for the length of 580 trabucchi, it reaches the spot called, in fondo al Prato di Trevigno, where, all parties having agreed in stating that there ought to be an old Landmark, one was placed there with its indications formed of a slab of sarizzo, 2 braccia high, 1 braccia wide, and 2 inches thick, and on the Lanzo side there were cut a cross and the No. 15 with the letters L. M., indicating Lanzo Milanese, and on the Swiss side the letters L. C. S., signifying Lugano and Castagnola Svizzeri; it is fixed 9 inches in the ground, and stands 15 inches out of it.

Modification by the Commission.

From the Landmark No. 14 situated in the square of Val Rovina the Frontier follows the pathway called the Val Rovina path, which is a continuation of the Bolla pathway, and, like that, is to be used in common by both Countries. This leads with many windings to the south front of the Alp called di Trevigno. To the west of this Alp, and at the distance of 60 metres, was found the Landmark No. 15. This pathway forms an almost horizontal curve of the mountain along the sinuosities of the extremities of the Valle Rovina. It descends gently at the middle

part, and rises to issue out at the Prato Trevigno. In its course it meets the three following points: The first is the Landmark No. 14⅓; its position is such that the Landmark No. 14 stands in the northern direction a few degrees to the east, and under the lowest point (that on the right) of the summit of the Sasso Grande, one of the chain of mountains which divides the Valsolda from the valley of Lugano. The two belfries of Massagno and Bosco are also seen from it almost in a straight line, that of Bosco bearing off a little to the left.

The second is the Landmark 14⅔, which is an incision in form of a cross in a bare rock of calciscisto which faces the entrance of the Val Rovina in the direction of the mountain of Albigorio, and leaving the belfry of Brè a little to the right.

The third is the intersection of the pathway with the branch of Val Rovina, wherein are the fount of Trevigno, and the milk hut belonging to the Alp of that name.

Measured by the winding of the pathway, the distance between the fount and the Landmark 14⅔ was found to be 240 metres, and from the fount to the Landmark No. 14⅓, 640 metres. The Landmark No. 14⅓, newly set up with its indications, has, besides the number, the letters L. I. (Lanzo Italia) cut upon it on the Italian side, and G. S. (Gandria Svizzera) on the Swiss side. It is 50 centimetres out of the ground. The cross marked No. 14⅔ has the letter I. (Italy) above, and S. (Switzerland) below.

It is settled that the fount of Trevigno shall be used in common by the shepherds of the two States, and that the transit from the Alp of that name to the fount, and to the hut attached shall be free under all circumstances.

Question VI.

Locality called Colmo di Creccio.

Of the place called il Colmo di Creccio, between the Lombard Commune of Lanzo and the Swiss Commune of Arogno.—Treaty of Varese.—Specification of Porlezza, 25th August, 1754, paragraph 28, line 1.—Plan XII of the Treaty of Varese.—Plan annexed No. 5, red.

Text of the Treaty.

Ascending from the said Landmark to the height called il Piano di Creccio, then descending in a straight line to the plain of Creccio or Crecchio, for the distance of 330 trabucchi altogether,

there is found another old Landmark formed of a slab of white sarizzo, 15 inches high out of the ground, 7 inches wide, and an inch and a half thick, on which is cut the letter L. on the Lanzo side, and the date 1610, and the letter M. was added thereto to signify Lanzo Milanese, with the No. 19, and on the western side the letter R. was found cut, to which was added the letter S., to denote Rogno Svizzero.

Modification by the Commission.

Ascending from this Landmark No. 18 (which the Commission caused to be refixed, because it was found displaced) it will rise to the highest point of the mountain of Creccio, no longer by a straight line, but according to the sinuosities of the side; then descending from that highest point in a straight line to the Piano di Creccio or Crecchio, another Landmark will be found, which is the No. 19 mentioned in the text.

Question VII.

Locality called Farm Pianazzo.

Of the place of the Farm Pianazzo, between the Lombard Commune Ronago, and the Swiss Commune Novazzano.—Treaty of Varese.—Specification of Milan, 20th October, 1754, paragraph 77, line 1.—Plan XV of the Treaty of Varese.

Text of the Treaty.

Turning to the right towards the west, and following the course of a live hedge for the distance of 30 trabucchi, then crossing the crooked way called the Pianazzo, and passing before the porch of the Pianazzo Farm for the length of 55 trabucchi, then following the path which leads to the said farm as far as the *zerbido* called la Pansella for 37 trabucchi more immediately out to the left of the gate which serves for the said farm, there is fixed a Landmark of red stone 18 inches long, 9 inches wide, and 3 inches thick, with its evidences, upon which is cut the No. 93, with the letters N. S. on the eastern side, indicating Novazzano Svizzero, and on the western side the letters R. M., standing for Ronago Milanese. It rises 9 inches out of the ground.

Modification by the Commission.

Turning to the right towards the south-west, the line is to be

taken of the south-east front of the farm, called Pianazzo, where, against the eastern angle of the said farm, a new Landmark is set up with its evidences, bearing the number 92½; it is of granite, 40 centimetres wide, and ·34 out of the ground, and has, besides the said number, the letters R. M. (Ronago Milanese) on the Italian side, and on the Swiss side, N. S. (Novazzano Svizzero).

From that Landmark, skirting the aforesaid front of the farm, and taking the south-west direction in a straight line towards the *zerbido* called la Pansella, for the distance of about 100 metres, it reaches the Landmark No. 93, mentioned in the text.

Question VIII.

Landmarks along the Torrent Vallinera.

Along the Torrent Vallinera, between the Lombard Commune of Porto, and the Swiss Commune of Meride.—Treaty of Varese. —Specification of Viggiù, 6th August, 1754, paragraph 8, line 1. —Plan VIII of the Treaty of Varese.

Text of the Treaty.

From the said Landmark following the edge of the road for 35 trabucchi still to the south, and a little tract called Vallinera of Carlo Battista Buzzo, of Porto, then traversing the said roadway and following the course of the rivulet for about 70 trabucchi, and then ascending in a line for 31 trabucchi more to the road, called the Sassello Road, which comes from Merete, and goes to the farm called Monte Casolo Farm, on the upper margin of the said road, there is an old Landmark of sarizzo, 9 inches thick, fixed in the ground, and rising 12 inches out of it, on which are cut a cross and the letters P. O., on the Porto side, and the letter M. on the Merete side, and under those letters the No. 53 has been newly cut.

Modification by the Commission.

From the said Landmark (No. 52) following to the south for the distance of 95 metres, the edge of that road, and of a small field, called Vallinera Field, thence traversing the said roadway, and ascending by the course of the rivulet for about 200 metres, a new Landmark, being the number 52½, is set up with its evidences; it is of granite, 50 centimetres out of the ground, and about 75 wide. Besides its number it bears the letters P. I. (Porto Italia) on the Italian side, and M. S. (Meride Svizzero) on

the Swiss side. This is 4 metres distant from the middle of the torrent which forms the true Boundary. From that Landmark proceeding in a right line to the south for about 200 metres more, to the road called the Sassello Road, which comes from Meride and goes to the farm called Monte Casolo Farm, on the upper edge of that road will be found the Landmark No. 53 mentioned in the text.

Question IX.

Course of the River Tresa.

On the course of the River Tresa.—Treaty of Varese.—Specication of Luino, 22 July, 1754, paragraph 39, line 1.—Plan VI of the Treaty of Varese.

Text of the Treaty.

And although the said Landmark is denoted 4 trabucchi above the said River Tresa, the river itself is retained as the dividing line between the two States.

The said River Tresa at the place just indicated, runs to the north entirely in the Milanese Dominion, and goes to discharge itself in the Lago Maggiore, and turning to the south in conformity with its windings against the current of the water, the line of the Boundary proceeds up to the under-mentioned Lake from which it comes.

Modification by the Commission.

And although the said Landmark (No. 48) is denoted 10 metres above the said River Tresa, the principal stream of the said river is retained as the dividing line between the two States.

The said River Tresa at the place just indicated towards the north runs entirely in the Milanese Dominion, and goes to discharge itself in Lago Maggiore; and turning towards the south it continues the Boundary line with its principal stream in the course of its windings against the current of the water, up to the undermentioned Lake from which it issues.

In this space the maintenance of the two bridges now existing, those of Tresa and Cremenaga, as well as the cleansing of the river bed, shall be henceforth at the common expense of the two adjoining States. But the fishing along the river and the jurisdiction over the exercise thereof, shall remain, as at present, assigned entirely to Switzerland.

[Boundaries.]

Question X.

Locality called Bocca-Nave.

In the locality called Bocca-Nave between the Lombard Commune of Dumenza and the Swiss Commune of Astano.—Treaty of Varese.—Specification of Luinio, 22nd July, 1754, paragraph 28, line 1.—Plan V of the Treaty of Varese.

Text of the Treaty.

From the said spring of Tegnente descending southwards for the distance of 90 trabucchi to the place called in Bocca-Nave indicated in the said specification A at the letter G, there is found a large stone of a square shape, 22 inches at the top and 24 inches at the bottom, two bracchia 3 inches out of ground towards the south, and 22 inches on the other 3 sides, forming naturally 4 faces; on that towards Dumenza there is a cross cut, and the letters DUM. MIL., meaning Dumenza Milanese, and on the face looking towards Astano a cross with the letters AST. SVIZ. standing for Astano Svizzero; on the top face is engraved the date 1754, with the No. 38 below. At the side of this stone is a pathway leading from Astano to Dumenza.

From the above-mentioned Landmark ascending towards the south for the distance of 362 trabucchi, crossing various pieces of land belonging to several private persons of Dumenza and of Astano, it reaches the foot of the rock called the Rock of Clivio, and also denominated Bolla Rossa, at the entrance of the Val Maggiore, and in this rock which has the face looking east, one trabucco wide, at the height of a trabucco and a half from the ground there is cut a cross, and on the west side of it towards Dumenza the letters D. M., meaning Dumenza Milanese, and on the eastern side towards Astano the letters A. S., standing for Astano Svizzero; and the No. 39 above. This rock is large, and extends both southward and northward, making various turns, and is all included in the Milanese Territory, as agreed in the Treaty of Varese.

Modification by the Commission.

From the said spring of Tegnente descending to the southwest for the distance of 90 trabucchi, to the place called in Bocca-Nave indicated in the said specification A at the letter G, there is found a large stone 22 inches square at the top and 24 inches at

the bottom; it rises two braccia 3 inches out of the ground towards the south, and 22 inches on the other 3 sides, having 4 natural faces. On the face next Dumenza is cut a cross with the letters DUM. MIL., meaning Dumenza Milanese, and on that looking towards Astano a cross with the letters AST. SVIZ., standing for Astano Svizzero; on the top face is cut the date 1754, with the No. 38 below. At the side of this stone is a pathway leading from Astano to Dumenza.

From the above-mentioned Landmark ascending towards the south-west, not in the same line as between No. 37 and No. 38, but bearing slightly more to the west, for the distance of 362 trabucchi, crossing various pieces of land belonging to several private persons of Dumenza and of Astano, it reaches the foot of the rock called the Rock of Clivio, and also denominated Bolla Rossa, at the entrance of the Val Maggiore, and in this rock, the face of which looking east is one trabucco wide, at the height of one trabucco and a-half from the ground, there is cut a cross, and at the side of it, to the west towards Dumenza, the letters D. M., meaning Dumenza Milanese, and on the eastern side towards Astano the letters A. S., indicating Astano Svizzero, with the No. 39 above. This rock is large, and extends both southward and northward, with various turns, and is all included in the Milanese Territory, as agreed in the Treaty of Varese.

Question XI.

Boundaries between the Commune of Campione and the Swiss Territory.

Boundaries, not specified in the Treaty of Varese, between the Commune of Campione and the adjacent Swiss Territory. Annexed plans 6 and 7, red.

The Boundaries between the Territory of the Commune of Campione, which is surrounded on all sides by Swiss Communes, have been adopted, as shown by the following description, which will at the same time denote the Frontier line between the two States for the corresponding length.

The little Rivulet called la Valle del Molino di Caprino, forms the extreme Boundary to the east between the Territory of Campione and the Swiss Commune of Castagnola, and that for the distance of 65 metres from the mouth, ascending towards the mountain. For that distance the bed of the stream is wholly in Italian Territory, and the exact Boundary is constituted by the

right bank of the said rivulet. At the aforesaid distance of 65 metres on the right of the rivulet, ascending, is the Landmark No. 1.

From No. 1 in a straight line for 60 metres to a rock which rises by itself above the continuous ridge, and is called the Mitre of St. Ambrose. On this rock is cut the No. 2. The adjacent Swiss Territory from No. 1 to No. 2, as well as subsequently up to the last No. (14) is always that of the Commune of Arogno.

From No. 2, following the ridge of the mountain along the rocks called del Cane, and almost in a straight line for the length of 702 metres, one comes to the Landmark No. 3, which is of granite, fixed in the place called Pian Boffino, or Piano di Pugierna.

At 75 metres 50, from this Boundary, and in a straight line, is found the granite Landmark No. 4, set up on the road which leads to the plain Boffino and the Pugierna.

At 78 metres 60, in a straight line from No. 4, in the vicinity of the valley under St. Evasio, is found the granite Landmark No. 5.

At 143 metres, in a direct line from No. 5 to the Boundary of the property of the parochial prebend of Arogno, is found the old granite Landmark bearing the No. 6.

At 154 metres from the above-mentioned Landmark No. 6, and following always the Boundary line of the property of the parochial prebend of Arogno, is found the new granite Landmark with the No. 7.

At 179 metres from the said No. 7, and still following the Boundary of the said property belonging to the prebend of Arogno, there is another *new* Landmark placed in the valley of Ghiarone, and marked No. 8.

At 56 metres from that Landmark there is another *new* one placed at the side of the wood called Cugnoli, in a direct line from the above-mentioned one; it has the No. 9 cut upon it.

At 216 metres 50, in a direct line from No. 9, there is a large isolated mass, which is called the Rock of Cornarè, upon which is cut the No. 10.

At 78 metres 60, in a direct line from the aforesaid, is another granite Landmark, on which is cut the No. 11.

At 238 metres, in a direct line from the aforesaid, there is another Landmark with the No. 12 cut thereon.

At 223 metres, in a direct line from No. 12, there is another *new* granite Landmark with the No. 13 cut thereon.

At 243 metres, in a direct line from the aforesaid, there is another *new* Landmark, with the No. 14 cut thereon.

Continuing the line traced between the Nos. 13 and 14, in the same direction for 7 metres further, it reaches the valley called Valle della Punta, and this marks the last Boundary with the Commune of Arogno, and begins that with the Territory of the Swiss Commune of Bissone.

From this point the valley itself marks the Boundary up to where it meets the new cart-road between Campione and Bissone, at a place where there is a small chapel; the distance being 610 metres measured along the winding of the valley.

At the point where the aforesaid road is reached the Boundary follows the ridge towards the lake thereof for the distance of 92 metres, running from south to north, thence it turns at a right angle to the west, and following the low pasture ground belonging to the church of the Madonna dei Guirli, it arrives at the lake after traversing a length of 63 metres.

All the new Landmarks have the letters C. I. cut in them upon one side, which signify Campione Italia, and A. S. on the other, which signify Arogno Svizzera.

They are fixed with their respective evidences, and so that the initial letters face the Italian and Swiss Territory respectively.

The Coast of S. Martino hitherto possessed by the Commune of Campione as part of its Territory and by private right on the opposite western shore of the Lake of Lugano, is now ceded to the Swiss Confederation, and with it the jurisdiction over the moiety of the intervening Lake, on the same conditions as in general hold good where the two shores of the Lake are respectively Italian and Swiss property.

At the same time it is declared that this fact of the Cession of the Coast of S. Martino to Switzerland shall never be appealed to of itself to overburden the present Custom-house relations between the Commune of Campione and Switzerland.

The Frontier having been thus definitively established, and the fixing of the new Landmarks arranged, the Commission again repaired to the localities, to examine and verify the work; and it was found that all had been properly done.

The Commissioners of the two States having thus completed

the work of Delimitation, which it was their business to do, have subscribed the present Convention, which is to be of no force or validity until it shall have been ratified* by the Supreme Powers of the Contracting States.

To this Convention are attached the following annexes:

No. 1, the text of the Treaty of Varese, with the specifications which complete it;

No. 2, a synoptical table and 16 plans of details illustrating the said Treaty;

No. 3, 7 plans in detail, showing some of the most important places in dispute on a large scale, with the respective decisions traced thereon;

No. 4, 10 reports on the discussions and the operations in the country, occasioned by the various Questions resolved by the Commission.

Done in duplicate originals at Lugano, on the 5th day of October, 1861.

Italian Commissioners.
LUIGI TORELLI.
E. DE-VECCHI.
PAOLO TURCONI.

Swiss Commissioners.
BOURGEOIS-DOXAT.
C. BATTAGLINI.

* Ratifications exchanged at Turin, 11th April, 1862.

No. 334.—*FIRMAN of the Sultan, respecting the Administrative and Legislative Organisation of the United Principalities of Moldavia and Wallachia. 6th December*, 1861.*

ART. TABLE.

1. Union of Hospodariats under Prince Couza.
2. Elective Assemblies to be merged into one Presidency of Assembly.
3. Suspension of Central Commission of *Fokschani*. Proposal for a Senate to be considered by the *Porte*.
4. Administration of Principalities.
5. Provincial Council to be convoked in each Principality.
6. On a Vacancy of the Hospodariat, former Arrangements to be resumed. Administration to devolve on Council of Ministers. Elective Assembly to be Suspended. Elections for Elective Assembly of *Moldavia* and *Wallachia*. Election of Separate Hospodar for each *Principality*.
7. Convention of 18th August, 1858, and Protocol of 6th September, 1859, to remain in full force. Firman to remain in force during Union of Hospodariats.

Reservations of *France* ..... Page 1501.
Reservations of *Russia* ..... „ 1503.
Reservations of *Great Britain* ..... „ 1504.
Reservations of *Prussia* ..... „ 1504.
Reservations of *Italy* ..... „ 1505.
Reservations of *Austria* ..... „ 1506.

(Translation as laid before Parliament.†)

IN a Report recently submitted to our Sublime Porte, Prince Couza, Hospodar of the United Principalities of Moldavia and Wallachia, pointed out the great difficulties which his Administration encountered in the system of two General Assemblies and of two separate Governments, and the obstacles which would result therefrom to the advancement of these two Countries in consequence of the Union of the Hospodariat in his person.

The development and progress of Prosperity in these Countries and of their Inhabitants being the object of our greatest solicitude, the said Report has been examined by our Council of Ministers with all the attention which it deserved.

* This Firman was publicly proclaimed at Bucharest and Jassy on the 23rd December, 1861, when the name of "Roumania" was given to the United Principalities, and Prince Couza assumed the Government under the Title of Prince Alexander John I., but the Title of "Roumania" has not been formally recognised by the Treaty Powers. See also Additional Act of 20th June, 1864.

† For French Version see "State Papers," vol. lvii, p. 522.

[United Principalities of Moldavia and Wallachia.]

The system of Administration of each of these Principalities by a separate Hospodar forming the Basis of the actual Organisation of Moldavia and Wallachia, the exceptional Union of the two Hospodariats in the person of Prince Couza has been naturally considered as necessitating certain modifications of a nature equally exceptional.

But as the Union of the two Hospodariats in the same person has been recognised in an exceptional manner, it thereby becomes evident that the modifications to be made in the Convention signed at Paris on the 19th of August, 1858 (**No. 286**), should be in conformity with the exceptional and temporary character of such recognition. Consequently, our Government, as well as the Guaranteeing Powers, our august Allies who signed the said Convention, after deliberating on the subject, have agreed as to the necessity of adopting the following changes:

Union of Hospodariats under Prince Couza.

ART. I. So long as the two Hospodariats shall remain united in his person, Prince Couza shall govern the Principalities with the assistance of one Government, which shall take upon itself the duties hitherto performed by the Ministers of Moldavia and Wallachia.

Elective Assemblies to be merged into one. Presidency of Assembly.

ART. II. The Elective Assemblies of Moldavia and Wallachia shall be merged into one. The provisions contained in Articles XVI and XXV of the Convention of the 19th August, 1858 (**No. 286**), remain applicable to the Assembly, in so far as they are not modified by the present arrangement. The Presidency of the Assembly will belong alternately to the Archbishop of Moldavia and of Wallachia.

Suspension of Central Commission of Fokschani.

ART. III. The Central Commission of Fokschani having been created with a view to insure the necessary unity of action in the two Governments and in the two Assemblies of the Principalities, its jurisdiction will naturally be suspended during the continuance of the Union of these Governments and of these Assemblies.

Proposal for a Senate to be considered by the Porte.

If, however, the Government of the Principalities, with the

concurrence of the Elective Assembly, finds that an Upper Assembly, under the name of Senate or under any other denomination, could be advantageously added to the Constitution to supply the place of the Central Commission thus suspended, the Sublime Porte will take into consideration any proposal in this sense which may be submitted to its judgment.

Administration of Principalities.

ART. IV. The changes which may be effected in the administrative division of the Principalities will leave intact the limits which have hitherto divided them.

Provincial Council to be Convoked in each Principality.

ART. V. There will be a Provincial Council in each Principality convoked regularly, which must be consulted on all the laws and regulations of a special interest to this Principality. These Councils will, moreover, be charged with the control of the administration of the Provincial Funds. Their composition, and the other duties which may devolve upon them, will be determined by an agreement between the Hospodar and the Elective Assembly.

On a Vacancy of the Hospodariat, former Arrangements to be resumed.

ART. VI. On the first Vacancy of the Hospodariat the arrangements thus temporarily modified of the said Convention of 19th August, will reassume by right their suspended action.

Administration to devolve on Council of Ministers.

The administration will devolve on the Council of Ministers, who will exercise it within the limits prescribed by Article XI of the Convention of 19th August, 1858.

Elective Assembly to be Suspended.

If the Elective Assembly is convoked, its functions will be immediately suspended.

Elections for Elective Assembly of Moldavia and Wallachia. Election of Separate Hospodar for each Principality.

The Council of Ministers will, without delay, proceed to re-

constitute, by new Elections carried out in conformity with the Electoral Law which will then be in force, the Elective Assembly of Moldavia and that of Wallachia. The Elections shall be terminated within 4 weeks, and the two Assemblies shall be convoked, each separately, at Jassy and Bucharest, within 10 days. In the 8 days which shall follow their convocation they shall have proceeded to the Election of a Hospodar for the Principality which they represent. The presence of three-fourths of the number of members shall be exacted in order to proceed to such Election. In the event that during these 8 days the election shall not have taken place, on the 9th day, at noon, the Assembly shall proceed to the Election, whatever may be the number of members present.

Convention of 19th August, 1858, and Protocol of 6th September, 1859, to remain in Full Force.

ART. VII. It is understood that all the arrangements of the Convention of the 19th of August (**No. 286**) shall remain in full vigour except those which have been temporarily modified. The Protocol signed in the Conferences of Paris, 6th September, 1859 (**No. 299**), remains equally in full force in the cases provided for thereby.

Firman to remain in force during Union of Hospodariats.

As it has been clearly established in the preamble, the changes introduced by this Firman into the Convention of 19th August, with the concurrence of the Guaranteeing Powers, are not in force except during the Union of the two Hospodariats in the person of Prince Couza. In case of a vacancy in the Hospodariat, steps will be taken in conformity with the arrangements as set forth above.

In proof of which this Firman, invested with our Imperial Hatt, has been issued. May the Almighty deign, in His infinite goodness, to make this decision productive of happy results for the prosperity of the inhabitants of the said Principalities.

6th December, 1861.

RESERVATIONS OF FRANCE.

The Undersigned, &c., has received the Note which accompanies the communication of the Firman promulgating the arrangements agreed upon by the Sublime Porte, in concert with the Representatives of the Powers who signed the Treaty

of Paris of 1856 (**No. 264**), and the Convention of the 19th of August, 1858 (**No. 286**), relative to the Administrative and Legislative Organisation of the United Principalities of Moldavia and Wallachia.

The Undersigned has thought it right to remark that in the Note, as well as in the Firman, His Highness Aali Pacha appears to refer simply to the Protocol of 6th September, 1859 (**No. 299**), as being indiscriminately applicable to any state of things which might arise after the reign of Prince Couza, as well as during the time of his administration.

The Undersigned, having fully considered the explanations given by His Highness Aali Pacha, is convinced that such is not his meaning.

Whilst declaring that the changes contained in the Firman have no other importance than what is assigned to them in this Act, the Undersigned is under the conviction, which is shared by his Government, that if the changes now decreed should be productive of the happy results which the Sublime Porte, in its great and generous solicitude for the welfare of the population, is anxious to secure for them, the Government of His Majesty the Sultan would be eager to examine, in concert with the Guaranteeing Powers, the natural consequences which would emanate from such a state of things.

It is in this sense that the Undersigned does not hesitate to declare that the Government of the Emperor will, in case of need, afford to the Sublime Porte, with a due regard to Treaties, the support which is necessary to enable it to enter into this examination with security.

It must be understood, however, that in the event of any infraction of the Conventions and Treaties, agreed upon amongst the Powers, being brought to the knowledge of the said Powers by the Sublime Porte, the Government of the Emperor would not hesitate to join the other Courts in establishing the fact of such infraction, and in nominating their respective Deputies. The Government of the Emperor would also concert such measures which, by common accord, might be considered opportune, in accordance with the form pointed out by the Protocol of 6th September, 1859 (**No. 299**), but only in such cases which are therein expressly provided for.

MOUSTIER.

[United Principalities of Moldavia and Wallachia.]

RESERVATIONS OF RUSSIA.

THE Undersigned, &c., has considered the Note which His Highness Aali Pacha did him the honour to address to him under date of 2nd December. He shares the confidence of the Ottoman Government in the wisdom of the Moldo-Wallachian populations, and does not doubt that they will appreciate at their just value the benefit which the Sublime Porte, in its constant solicitude for the prosperity of the two Principalities, and of their inhabitants, has now accorded them.

The Imperial Cabinet is convinced that this solicitude will not be belied, and he hopes that the ulterior arrangement of the Sublime Porte will be guided by the experience which the Powers, as well as the Moldo-Wallachian population will have gained, of the advantage of a new organisation.

On this account, the Undersigned cannot, for his part, adhere to the conclusions to be derived from the Note of the 2nd of December, which even now appears to prejudge this question.

The opinion of the Imperial Government in this respect is well known to the Sublime Porte; the candour and precision which it has never ceased to give to its language imposed on the Undersigned the duty of explaining himself with the same clearness in the sense of the despatch of His Excellency Prince Gortchakoff, of the 19th September, 1860, of which a copy was communicated to the Ministers of His Imperial Majesty the Sultan.

It is by being thus inspired with the unchangeable intentions of his Government that the Undersigned thinks it right to reserve for a preliminary agreement between the Sublime Porte and the Representatives of the Guaranteeing Powers, an examination of the state of things which would be produced in the Principalities on a Vacancy of the Hospodariat, as well as the ulterior application of measures provided for by the Protocol of the 6th September, 1859 (**No. 299**).

The Undersigned would fail in his duty were he to conceal from His Highness Aali Pacha, that his adhesion to the Firman, enclosed in his Note of the 2nd of December, is entirely dependent on the Reservations which he has now put forward.

LABANOV.

[United Principalities of Moldavia and Wallachia.]

RESERVATIONS OF GREAT BRITAIN.

HIGHNESS,

I HAVE had the honour to receive the copy of the Firman, relative to the Union of the Principalities, which your Highness communicated to me with your Official Note of the 2nd instant.

Your Highness will perceive, from my acknowledgment of the receipt of this Article, that I have the satisfaction of being able to state that this Firman contains nothing which appears to me to differ from the principles which have been already stated by the Sublime Porte, principles which have been recognized by the Government of Her Majesty as being just and reasonable.

In making this official communication to your Highness, I have not considered it necessary to enter minutely into details or to recall to your mind the conversations which have passed between us in regard to future eventualities; but I have informed Her Majesty's Government of the wisdom with which your Highness has constantly expressed yourself, and of the assurance which, in common with my colleagues, I have, at different times, received from your Highness, especially that if a Vacancy in the Hospodariat should reopen the question of the Union of the Principalities, the Sublime Porte, after having ascertained separately the views of each of the Assemblies of these two Principalities in what concerns the choice of their Governor or of their Governments, would take into consideration all the circumstances of the state of affairs, and would not be disposed to establish by force the Legislative and Administative Separation of the two Principalities, if such a Separation were contrary to the wishes of the population, and if the Union now temporarily established had produced satisfactory results.

I need hardly observe that it is clearly understood between us that without further concert between the Powers, the Protocol of 6th September, 1859 (**No. 299**), is only applicable to those cases which are provided for by that document.

H. L. BULWER.

RESERVATIONS OF PRUSSIA.

M. LE MINISTRE,

IN the Official Note which I have the honour to address this day to your Highness relative to the communication which you were good enough to make to me of the Imperial Firman, con-

taining the changes introduced during the life-time of Prince Couza into the organisation of the United Principalities of Moldavia and Wallachia, I have expressed the assent of my Government to these modifications.

It still remains for me to state in reply to the Note of your Highness of the 2nd of this month, that in the opinion of the Government and of His Majesty the King, my august Master, these changes, as it is stated in the Firman, could not have any other meaning than what is attached to them by that Act. Nevertheless, the Government of the King hopes, and the explanations given by your Highness in the conversations which have taken place on this question, authorise me in believing that if these changes should bring about the good results which the Sublime Porte in its great and generous solicitude for the welfare of the Moldo-Wallachian populations is anxious to ensure to them, the Government of His Imperial Majesty the Sultan will not refuse to examine, in concert with the Guaranteeing Powers, the natural consequences which would ensue from such a state of things.

In this view I do not hesitate to declare that the Government of the King will afford, in case of need, to the Sublime Porte the support provided for by the Treaty of Paris (**No. 264**) and the Protocol of the 6th September, 1859 (**No. 299**), and will, at the request of His Majesty the Sultan, nominate for this purpose a Deputy who will be instructed to undertake conjointly with the Imperial Commissioner, and with the Deputies of the other Guaranteeing Powers, the examination above mentioned, and to see to the observance of the International Acts which regulate the position of the Principalities.

GOLTZ.

Reservations of Italy.

Sir,

I consider myself as interpreting the intentions of the Italian Government in submitting to you some remarks on the bearing of Article VI of the Firman, an Article which foresees the event of a Vacancy of the Hospodarship, and which points out the measures to be taken in such a case. It is difficult to judge eventualities in a positive manner, and the Government of the Sublime Porte might perhaps find itself hampered by engage-

ments which it had taken in regard to a state of things which would be prejudged by early appreciations.

I flatter myself, therefore, that in the event of a vacancy of the Hospodariat, the Sublime Porte will be able to appreciate the results of a first trial, and that should they be satisfactory, it would perhaps consider that the same motives which have led it to consent to a temporary Union, would preclude it from destroying a work which would have acquired the double sanction of time and of national customs.

It will also be my duty to communicate to my Government the friendly dispositions of the Imperial Cabinet as contained in Article VII, which, in recalling the Protocol of 6th September, 1859 (**No. 299**), restricts the eventual application of it to those cases alone which are therein provided for.

CERRUTI.

RESERVATIONS OF AUSTRIA.

THE Undersigned, Internuncio and Minister Plenipotentiary of His Majesty the Emperor of Austria, has had the honour to receive the Note of the 2nd of this month, by which His Highness Aali Pacha, Minister for Foreign Affairs of His Imperial Majesty the Sultan, was good enough to communicate to him a copy of the Imperial Firman containing the new arrangements adopted by agreement with the Guaranteeing Powers, and during the lifetime of Prince Couza, concerning the Administration and Legislative Organisation of the United Principalities of Moldavia and Wallachia.

The Undersigned, after having taken cognizance of the contents of the said Imperial Firman, adheres, in the name of the Government of His Imperial and Royal Apostolic Majesty, to the stipulations contained in the 7 Articles of which this document is composed, and which establish the nature and character of the changes that the Convention of the 19th of August, 1858 (**No. 286**), will have to undergo during the Union of the two Hospodariats in the person of Prince Couza.

As it results therefrom, and remains expressly understood that on the first Vacancy in the Hospodariat, the said Convention of the 19th of August (**No. 286**) will re-assume its full force, the Imperial Government of Austria, in conforming in this case to

what has been provided for by the above-mentioned Note of the 2nd of December, will give assistance through one of its officials in the Principalities to the Commissioner whom the Sublime Porte may send there to see to the execution of this stipulation, and will authorise him to concur, in case of an infraction, in the employment of the measures determined on by the Protocol signed at Paris on the 6th September, 1859 (**No. 299**).

The Undersigned, &c.

PROKESCH-OSTEN.

No. 335.—*CONVENTION between Italy and San Marino for the Preservation of the Independence of the Republic of San Marino. Signed at Turin, 22nd March, 1862.*

ART. TABLE.

Preamble.
1. Execution of *Sardinian* Sentences in *San Marino*.
2. Public Acts of *Italy* and *San Marino* to have effect in both States.
3. Execution of Judicial Acts.
4. Extradition of Criminals.
5. Exceptions to Extradition.
6. Naturalisation not to prevent Extradition.
7. Reciprocal Aid for Punishment of Crime.
8. Criminals escaping to their own Country to be punished according to National Laws. Atrocious Crimes to be tried where committed, and sent back for Judgment to their own Country.
9. Extradition for Crimes not committed in respective States to be optional.
10. Criminals not to be Pardoned. Regulations as to Safe-conducts.
11. Delivery of Moneys and Effects of Criminals.
12. Restoration of Effects to persons to whom they belong.
13. Expense of maintaining accused.
14 to 20. Extradition of Deserters.
21. Property of Religious Institutions, &c., to belong to the State where they are established.
22. Passports between the two States abolished.
23. Produce, goods, cattle, manufactures, and merchandise of either State may freely circulate in the other, excepting Monopolies.
24. Coinage of *San Marino* to be current in *Italy*.
25. Composition for Transit Dues through *San Marino*.
26. Copyright.
27. Tobacco not to be grown in *San Marino*.
28. Salt and Tobacco to be supplied by *Sardinia*.
29. *San Marino* not to accept Protection from any Power but *Italy*.
30. Treaty to remain in force for 10 years. 6 months' notice of wish to terminate. Ratifications.*

(Translation.)

HIS Majesty the King of Italy, wishing to give a proof of his particular regard and kindly feeling for the Republic of San Marino, and to comply with the requests which have been made

* Ratifications exchanged at Turin, 4th May, 1862.

to him by the citizens thereof, by granting them facilities for procuring merchandize and commodities, and for the supply of salt and tobacco, as well as to regulate the friendly relations existing between the two States; and the Republic, on its part, thankful to His Majesty the King of Italy for these gracious concessions, and heartily desiring still further to consolidate their neighbourly and friendly relations, as well as to remove all causes that might give rise to disputes between the two Governments, have settled certain heads of agreement by means of suitable Plenipotentiaries, for which purpose there have been chosen:

On the part of His Majesty the King of Italy, Commander Domenico Carutti di Cantogno, Resident Minister of Italy at the Court of the Netherlands, &c.;

And on the part of the Republic of San Marino, his Excellency Count Luigi Cibrario, Patrician of San Marino, Minister of State, and Senator of the Kingdom of Italy, &c.;

Who, after communicating to each other their respective Full Powers, which were recognised as being in due form, have agreed upon the following stipulations:

Arts. I to XXVIII. (See Table.)

San Marino not to accept Protection from any power but Italy.

Art. XXIX. The Republic of San Marino, having every reason to trust that it will never experience any diminution of His Majesty the King of Italy's protecting friendship for the preservation of its most ancient liberty and Independence, declares that it will not accept that of any other Power whatever.

Art. XXX. (See Table.)

In faith whereof, the respective Plenipotentiaries have signed this present instrument, and have set thereto the Seal of their Arms.

Done at Turin, 22nd March, 1862.

(L.S.) CARUTTI.
(L.S.) CIBRARIO.

No. 336.—*BOUNDARY TREATY between France and Spain. Signed at Bayonne, 14th April, 1862.*

ART. TABLE.

1 to 26. Detailed delimitation of Frontier from the Eastern extremity of *Navarre* to the *Val d'Andorre*. Pasturage Rights.
27. Annulment of previous Conventions, Awards, &c.
28. Execution of Treaty.
29. Ratifications.

(Translation.*)

His Majesty the Emperor of the French and Her Majesty the Queen of Spain, wishing to continue the work begun in the Boundary Treaty signed at Bayonne, on the 2nd December, 1856 (**No. 275**), by strengthening Peace and good understanding between the Frontier Populations of the two Countries, beginning at the Eastern extremity of Navarre as far as the Val d'Andorre,† and putting an end for ever to the secular litigations which have often disturbed order on different parts of that Frontier, to the prejudice not only of their respective Subjects, but also of the good understanding between the two Governments, have considered it necessary in order to attain that object, to record in a special Treaty the solutions given to those Litigations and the tracing of the International Boundary from the point at which the first Treaty of Bayonne ends to the Val d'Andorre, and have appointed to that effect as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, the Sieur Charles Victor Lobstein, Minister Plenipotentiary, &c.; and the Sieur Camille Antoine Callier, General of Brigade, &c.;

And Her Majesty the Queen of Spain, Don Francisco Maria Marin, Minister Plenipotentiary, &c.; and Don Manuel Monteverde y Bethancourt, Marshal of the National Forces, &c.;

Who after having communicated to each other their Full Powers, found to be in good and due form; after having collected, studied, and discussed all the Titles produced on either side;

* For French version, see "State Papers," vol. lii, p. 155.

† Andorre is a small Independent Republic situate on the Pyrenecan Frontier between France and Spain. Separate Conventions were concluded between that Republic and Spain in 1834 and 1841, respecting the non-protection of Refugees, &c., which are to be found in "State Papers," vol. xxx, p. 1217.

after having heard those interested, and sought to reconcile the rights and pretensions of the two States, as well as those of the respective subjects, preserving as much as possible the ways and customs followed from the remotest times, have agreed upon the following Articles:

ARTS. I to XXVI. (See Table.)

Annulment of previous Conventions, Awards, &c.

ART. XXVII. All previous Conventions, Awards, and Contracts, relating as well to the tracing of the Frontiers included between the summit of the Table des Trois Rois and the Val d'Andorre, as to their legal position, to the enjoyment and services of the neighbouring Territories, are hereby annulled in everything which is contrary to the Stipulations contained in the preceding Articles.

ART. XXVIII. *Execution of Treaty.*

ART. XXIX. *Ratifications.**

In testimony whereof, the respective Plenipotentiaries have signed it and affixed thereto the Seal of their Arms.

Done in Duplicate at Bayonne, the 14th April, 1862.

(L.S.) VR. LOBSTEIN.
(L.S.) GAL. CALLIER.
(L.S.) FRANCISCO MA. MARIN.
(L.S.) MANL. MONTEVERDE.

* Ratifications exchanged at Madrid, 13th June, 1862.

No. 337. — *TURKISH CONDITIONS imposed upon Montenegro; and accepted by the Prince.* Signed at Scutari, 31st August, 1862.*

ART. TABLE.

1. Internal Administration of *Montenegro*.
2. Boundary of *Montenegro*.
3. Free Exports and Imports in the Port of *Antivari*. Prohibition of Munitions of War.
4. Permission to *Montenegrins* to Lease Lands outside *Montenegro* for Agricultural purposes.
5. Conditions upon which Mirks can remain in *Montenegro*.
6. Open Road to commence from the *Herzegovine* to *Scutari*.
7. *Montenegrins* not to make Hostile Excursions. *Montenegrins* not to assist Insurrections in Neighbouring Districts. Dignitaries of *Montenegro* to engage to fulfil above Conditions.
8. Settlement of Border Differences.
9. Passports to enter *Montenegro*.
10. Permission to *Montenegrins* to travel throughout *Ottoman Empire*.
11. Extradition of Criminals.
12. Prisoners to be liberated and sent home.
13. Punishment of Offenders.
14. *Montenegrins* not to erect Fortifications on the Borders of *Albania*, *Bosnia*, and the *Herzegovine*.

(Translation.)

Internal Administration of Montenegro.

ART. I. The Internal Administration of Montenegro shall remain the same as it existed before the entrance of the Imperial Troops upon his Territory.

Boundary of Montenegro.

ART. II. The Line of Demarcation traced by the Mixed Commission in 1859,† shall constitute for the future the Boundary of Montenegro. (Gratione is included in those Limits.)

Free Exports and Imports in the Port of Antivari. Prohibition of Munitions of War.

ART. III. The Ottoman Government will permit to Montenegrins the Export and Import of Merchandise in the Port of

* Accepted by the Prince of Montenegro on the 13th September, 1862.

† See *Procès-verbal* of 8th Nov., 1858, page 1353.

Antivari without levying any Customs Duties. The Importation of Arms and Munitions of War is prohibited.

Permission to Montenegrins to Lease Farms outside Montenegro.

ART. IV. Montenegrins will have the power to Lease Lands outside Montenegro for Agricultural Purposes.

Conditions upon which Mirko can remain in Montenegro.

ART. V. Mirko shall leave Montenegro and shall not be allowed to return.

(This Article has been modified. Mirko has the right to remain in Montenegro, on condition of his residing there as a simple Individual.)

Road from the Herzegovine to Scutari Open to Commerce. Occupation of Stations along the Road by Turkish Troops.

ART. VI. The Road from the Herzegovine to Scutari, passing by the Interior of Montenegro, shall be open to Commerce. Along this Road several Stations shall be occupied by Imperial Troops, who shall be garrisoned within Blockhouses. The points to be occupied shall be settled hereafter.

Montenegrins not to make Hostile Excursions.

ART. VII. Montenegrins shall not in future make Hostile Excursions beyond their Frontiers.

Montenegrins not to assist Insurrections in Neighbouring Districts.

In case of a rising of one or more neighbouring Districts, Montenegrins shall not afford them any assistance either moral or material.

Dignitaries of Montenegro to engage to fulfil above Condition.

All Senators, Chiefs of Natives, and other Dignitaries of Montenegro, shall give the Serdar-Ekrem their written engagement to observe the above condition.

Settlement of Border Differences.

ART. VIII. All Differences of minor importance which might arise on the Borders, shall be regulated by common consent. Each of the bordering States of Montenegro shall have a Representative empowered to settle these Differences, and in case of

an important question not being susceptible of receiving a satisfactory solution, the two Parties shall apply direct to the Sublime Porte.

Turkish Passports to enter Montenegro.

ART. IX. No family shall enter Montenegro without a Passport delivered by the Turkish Authorities. All Offenders shall be rigorously sent back.

Permission to Montenegrins to travel throughout Ottoman Empire.

ART. X. Montenegrins shall be allowed, in the interest of their Commerce, to travel throughout the whole extent of the Ottoman Empire. Travellers shall have the Protection of the Government.

Extradition of Criminals.

ART. XI. All Criminals shall be arrested and sent to their respective Authorities on the bases of reciprocal Extradition.

Prisoners to be Liberated and sent home.

ART. XII. On either side Prisoners shall be set at liberty and sent to their homes. All Raya Refugees shall be sent to their families.

Punishment of Offenders.

ART. XIII. In accordance with the same principle of reciprocity, all effects stolen shall be restored, and the Authors of the thefts shall be punished.

Montenegrins not to erect Fortifications on the Borders of Albania, Bosnia, and the Herzegovine.

ART. XIV. The Montenegrins shall engage not to construct any Koulé or works of Fortification on the Borders of Albania, Bosnia, and the Herzegovine.

Scutari, 31st August, 1862.

THE SERDAR-EKREM.

No. 338.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the Affairs of Servia. Signed at Kanlidja, 4th September*, 1862.

ART. TABLE.

Reference to Treaty of 30th March, 1856. Measures for Pacification of *Servia*. Military Works erected by *Servia* to be razed.

1. Property of Mussulmans in *Belgrade* to be transferred to *Servian* Government. Porte to destroy Works, &c., forming the Faubourg of Belgrade. *Servia* not to erect Military Works. Mussulman Religious Edifices and Tombs to be respected.
2. Maintenance of Fortress of *Belgrade* by *Turkey*. Extension of Fortress.
3. Indemnity for losses by Mussulmans and *Servians*.
4. Instructions to be given to Governors of *Belgrade*. Acceptance of proposed Instructions by Representatives of the Powers. Defences of the Fortress.
5. Appointment of a Mixed Military Commission. Appointment of a Mixed Civil Commission.
6. Fortresses of *Sokol* and *Oujitza* to be demolished by *Turkey*.
7. Garrisons to be maintained by *Turkey*. *Belgrade*. *Feth-Islam*. *Semendria*. *Chabatz*.
8. Withdrawal of Mussulmans around *Turkish* Fortresses, and disposal of their Property. Mussulmans at liberty to travel in Interior of *Servia*.
9. Governor of Citadel of *Belgrade* not to interfere in Affairs of *Belgrade* or of the *Principality*. *Servian* Government not to interfere with Duties of the Governor of the Citadel. Same rules to be observed relative to the other *Turkish* Forts.
10. Disbandment of Foreign Corps. Right of Asylum.
11. Arrangement to be made relative to the Forces to be maintained by the *Porte* and the *Servian* Government.
12. *Servian* complaints to be considered by the *Porte*.

(Translation.*)

Measures for Pacification of Servia.†

Protocol respecting the Definitive Arrangement agreed upon on the 4th September, 1862, between the Sublime Porte and the Representatives of the Powers Signataries of the Treaty of Peace of 1856.

Reference to Treaty of 30th March, 1856.

THE events of which the Principality of Servia has recently been the theatre, having induced the Sublime Porte to assemble

* For French version, see "State Papers," vol. lii, p. 114.

† Conferences were held at Constantinople on the affairs of Servia, from the 23rd July to the 4th September, 1862, which were attended by the Representatives of all the Guaranteeing Powers.

in Conference the Representatives of the Powers who signed the Treaty of Paris (**No. 264**), and those Powers being, above all things, desirous to avoid new sources of irritation,* have considered it their duty to abstain from a minute investigation of the immediate causes of those lamentable occurrences. They have, therefore, confined themselves to showing that the re-establishment of confidential and friendly relations between the Suzerain Power and the Principality was of great importance, as well for Turkey as for the Peace of Europe, and that it was a matter of consequence to seek with care all the means adapted to attain that end. They have seen with satisfaction that the Sublime Porte being disposed to introduce into the state of things which has subsisted in Servia up to the present time the modifications suitable to remove causes of disagreement and of conflict, was desirous of using all the means in her power to convince the Servians that she takes the most sincere interest in the natural development of their prosperity and their self-government. It is, therefore, the duty of the Servians on their part to give to the Sublime Porte, by unmistakeable proofs, the assurance that in the legitimate development of this self-government they do not seek the means of relaxing the ties which unite them to the Ottoman Empire, but that, on the contrary, they will always strive to render those ties more close, and to strengthen the natural union which is created by community of interest, and the necessities of mutual defence.

Military Works erected by Servia to be razed.

In order to realise those intentions, as wise as they are generous, the Sublime Porte has not hesitated to enter into the following engagements with the Representatives of the Guaranteeing Powers, which she will hasten to make known by a Firman, published in the usual form, as soon as the Servians shall have entirely razed the Works lately constructed in the Suburb, or between the Suburb and the Walls of the Fortress. The Servians shall likewise raze the Military Works which they may have unduly constructed since the late events in other parts of the Principality. It is the intention of the Sublime Porte on its part to remove the Works which have been constructed during the same period by Turkish authorities for defensive purposes, which will no longer exist, the Ottoman Government having the most

* See Correspondence respecting the Bombardment of Belgrade in June, 1862, in "State Papers," vol. lvi, p. 409.

lively desire to obliterate in the moral as well as in the material order of things, all traces of deplorable misunderstandings.

Property of Mussulmans in Belgrade to be transferred to Servian Government. Porte to destroy Works, &c., forming the Faubourg of Belgrade. Servia not to erect Military Works. Mussulman Religious Edifices and Tombs to be respected.

ART. I. In order to prevent the possibility of conflicts arising from the intermixture in the same locality of Mussulman and Servian population, the Ottoman Government will transfer in full property to the Servian Government, on condition of indemnifying the proprietors, all the Lands and Houses in the Suburb of Belgrade, belonging at the present time to Mussulmans. The Porte will abandon on the same condition to the said Government the Walls, Ditches, and Works forming the ancient enclosure which separates the modern from the ancient town which is called the Faubourg, as well as the four gates of the Save, of Varos, of Stamboul, and of Vidin. These Ditches, Walls, Gates, and Works shall be demolished and levelled. The Servians shall not erect any Military Work on this ground. These modifications in the former state of things will have for result that the exclusive Jurisdiction of the Servian authorities shall in future extend over the whole of the Town as well as over the Faubourg of Belgrade. All the Religious Edifices and Tombs which the Mussulman population may leave standing when they retire from the places they have hitherto occupied in virtue of ancient rights, shall be scrupulously respected.

Maintenance of Fortress of Belgrade by Turkey.

ART. II. The Sublime Porte being determined to maintain in all their integrity its Rights over the Citadel of Belgrade, as sanctioned by Treaties,* but not wishing in any respect to make the conditions thereof more burthensome for the Servians, she is, nevertheless, resolved to seek the means for putting that Fortress into a proper state of defence, and deems it necessary to give to the present Esplanade more regularity, and, at certain points where such extension cannot disturb the town, an increase of extent.

Extension of Fortress.

This extension will therefore be made in the quarter almost

* See Convention between the Servian Minister for Foreign Affairs and the Turkish Governor of the Fortress of Belgrade of 15th June, 1862, in "State Papers," vol. lvi, p. 415. See also Note page 929.

exclusively occupied by the Mussulmans, and situated between the Citadel, the Danube, and a line passing by the Tekké of Scheik Hassan and by the Mosque of Ali Pacha. If the Sublime Porte should think it absolutely necessary to carry the demolition of the Mussulman quarter a little further than the aforesaid line, the Mixed Military Commission, which forms the subject of Article V, will have to take the question into consideration, and decide upon it. If there should be any Non-Mussulman houses in this space, the Ottoman Government will indemnify the proprietors, and will, of course, undertake to indemnify all those expropriated persons who are under their direct jurisdiction.

With regard to the exclusively Servian Quarter, the Ottoman Government, which would not think of touching the Religious Edifices, such as the Cathedral, the University, and the Bishop's Palace, nor the Mercantile Quarter, will negotiate in a friendly manner with the Prince's Government for the purchase of certain houses which competent judges may declare absolutely necessary to complete the Esplanade in that direction, and will take care to facilitate the consent of the proprietors by the offer of liberal compensation.

No building of any kind whatever shall remain or be built in future upon the ground of this Esplanade, which shall remain the exclusive property of the Turkish Government. Nobody shall reside there, even temporarily.

Indemnity for Losses by Mussulmans and Servians.

ART. III. The Servian Government shall take care to restore, in kind or in value, all moveables left by the Mussulmans in their houses or shops when they retire to the Citadel. If, at the time of the disturbances which then occurred, any Servian suffered any losses of the same nature by the act of the Mussulmans, he will be indemnified by the Ottoman Government.

The two Governments will come to a confidential and friendly understanding as to the mode o such restitution and of the indemnity in question.

Instructions to be given to Governors of Belgrade.

ART. IV. The Sublime Porte, firmly resolved to maintain all its Rights without ever exceeding them, protests that there is not the least foundation for the apprehension that the Citadel of Belgrade, destined for the defence of the Country, can be considered as the means for infringing the Immunities granted to

Servia by the Sultans, and Guaranteed by Treaties. Its paternal feeling towards the Principality excludes any desire to exercise any pressure on the Prince's Government, or any intimidation towards the population. As a proof of its intentions, the Sublime Porte has not hesitated to communicate to the Conference the Instructions which it has prepared, and which will hereafter form the invariable rule for the conduct of the Governors of Belgrade.*

Acceptance of Proposed Instructions by Representatives of the Powers.

The Representatives, in placing upon record the engagement resulting from this communication, are happy to state that those Instructions prove to the Powers that the Sublime Porte has no intention of giving a threatening character to the Armaments of the Ramparts on the Town side towards the town, nor to make use of the guns on that side, except in a case of the most necessary and legitimate defence; and even in such a case, faithful to the feelings of humanity with which it is ever animated, the Sublime Porte will never permit that devastation should be intentionally carried into the heart of a rich and populous town, whose interests are so closely united with its own.

Defences of the Fortress.

The Sublime Porte, moreover, does not doubt that the Servians will scrupulously guard against the Citadel being placed, by acts of hostility, under the painful necessity of repelling force by force. The Sublime Porte has no difficulty in adding that, while resolved to examine the actual state of the Ramparts of the Citadel, in order that they may be restored and placed on a satisfactory footing of defence, it will equally cause an examination to be made into the question, whether the more advanced works on the southern side could be advantageously modified without endangering the security of the Fortress and its efficient state of defence, which, in any case, it cannot allow to be diminished.

Appointment of a Mixed Military Commission.

ART. V. The new Circuit of the Esplanade shall be marked out by a Mixed Military Commission, composed of an Officer named by each of the Guaranteeing Powers, and of an Officer named by the Ottoman Government. This Commission will avail itself of all

* See page 1523.

local information which may assist it in resolving this question; it shall make its report to the Sublime Porte, which will receive favourably any observations which the Servian Government may think right to submit to it on this subject. The Conference would feel pleasure if the Sublime Porte were to take advantage of the opinion of this Commission in the examination which forms the subject of the last part of the preceding Article.

Appointment of a Mixed Civil Commission.

A Civil Mixed Commission, composed of members named by the Ottoman Government and the Servian Government, shall decide all the questions of Expropriation, and of Indemnity which are contemplated in the present arrangement, except those which can only be discussed between the Turkish Government and the proprietors who are under its direct jurisdiction. This Commission shall conclude its labours within the space of 4 months.

Fortresses of Sokol and Oujitza to be demolished by Turkey.

ART. VI. The Sublime Porte wishing to maintain in the Principality of Servia, only the number of fortified points which seem to her really necessary for the security of the Ottoman Empire, has devoted itself to an attentive examination of this question, and has pleasure in declaring to the Conference that her intention is to demolish from this time, from among the Fortresses which belong to her,* those of Sokol and Oujitza, which shall never be restored without the mutual consent of the Sublime Porte and the Servian Government. The Porte looks upon the maintenance of the Fortresses of Feth-Islam, of Chabatz, and of Semendria, as indispensable to the general system of defence of Turkey.

Garrisons to be maintained by Turkey. Belgrade, Feth-Islam, Semendria, Chabatz.

ART. VII. Not wishing to exercise the Rights which belong to her in the Principality of Servia beyond the limits which her own security demands, the Sublime Porte will maintain in the fortified points which she occupies there, whether at Belgrade or at Feth-Islam, Semendria, and Chabatz, only Garrisons proportionate to the extent of these places, and to the real requirements of their defence.

* Sokol; Oujitza (Ushitze, or Uzica); Feth-Islam (or Cladova); Semendria; Sabac (Schabatz, or Chabatz).

[Servia.]

Withdrawal of Mussulmans around Turkish Fortresses, and disposal of their Property.

ART. VIII. The Sublime Porte engages to take immediate measures, in concert with the Servian Government, so that all the Mussulman inhabitants who live around the 5 fortified points which she occupies in virtue of the Treaties, and which are specified in the preceding Articles, may dispose of their properties and withdraw from the Servian Territory as quickly as possible.

Mussulmans at liberty to travel in Interior of Servia.

The Ottoman Commissioner sent to Belgrade in order to decide this question and others which were previously pending, shall terminate his labours within the period fixed by the Civil Mixed Commission described by Article V. It is well understood that there is nothing in what precedes to prevent Mussulmans from travelling upon business in the interior of the Principality, on condition of conforming to the Laws of the country.

Governor of Citadel of Belgrade not to interfere in Affairs of Belgrade or of the Principality.

ART. IX. It is in the intention of the Sublime Porte to see that the Governor of the Citadel of Belgrade confines himself strictly to the exercise of his Military Functions, and does not seek to exercise, directly or indirectly, any interference, however small, in the affairs of the city or of the Principality. She will likewise see that he observes and causes to be observed towards the Prince and his Government, all the respect to which they have right.

Servian Government not to interfere with Duties of the Governor of the Citadel.

On their part, the Prince and his Government will act in the same spirit towards the Governor of the Citadel; they will not commit any encroachment upon his functions, and will see that all the Ottoman Functionaries are treated in all cases conformably to their rank.

Same Rules to be observed relative to the other Turkish Forts.

The same regard shall be observed between the Commandants of the 3 Forts which the Sublime Porte maintains outside the Citadel of Belgrade and the neighbouring Servian authorities.

Disbandment of Foreign Corps. Right of Asylum.

ART. X. Every corps recruited entirely from foreigners in

Servia shall be disbanded, and the Servian Government shall carefully abstain from exciting distrust of the Sublime Porte by any abusive extension of the Right of Asylum.

Arrangement to be made relative to Forces to be maintained by the Porte and the Servian Government.

ART. XI. As for questions which are not provided for in the present arrangement, and which are of a nature to influence the good understanding of Turkey and of Servia, the Conference does not doubt that the Servian Government will be anxious to treat concerning them with the Sovereign Power in the desire to grant her every possible and legitimate satisfaction. It is desirable, in particular, that Prince Michael should endeavour to put an end to the apprehensions which the new military organisation of Servia has created at Constantinople. The Sublime Porte has already declared that she will maintain in her Fortresses only the number of men necessary to insure their defence; she naturally expects that the Servian Government will not maintain a larger number of men than is necessary for the maintenance of the tranquillity and the internal order of the Country. The Limits within which the Porte will exercise its right of garrison are easy to be understood, and even to be declared. It will be easy for the Prince of Servia to give declarations equally satisfactory as to the number of men which will compose his usual effective force, and by an exchange of confidential and friendly communications between the two parties to come to an arrangement, which, while it removes on both sides all doubts, and does not injure any rights of the Principality, will tranquillize the Sublime Porte as to the number and employment of the effective force, which should be in conformity with the spirit of the Hatti-Chérifs.

Servian Complaints to be considered by the Porte.

ART. XII. The Servians will always find the Sublime Porte ready to listen, in a just and friendly spirit, to any Demands which they may have to make in future, and the Porte will cause an answer to be returned with the shortest possible delay.

The Guaranteeing Powers, in giving to the Sublime Porte counsels which have served as a basis for the present Arrangement, and in placing upon record its good intentions, declare that they have only had in view to ensure the maintenance of Articles XXVIII and XXIX of the Treaty of Paris (**No. 264**), by

means of wise modifications, founded upon the interest of Turkey and Servia, and dictated by the desire to strengthen the Peace of Europe. They are convinced that the Servians, while appreciating the efforts which have been made to satisfy in every just and possible manner their Complaints and wishes, and brought to a true sense of their situation, will perceive that it is their interest to remain in close connection with the Suzerain Power, to rely upon its support, and to contribute towards the general defence of the Empire with that fidelity of which they have given so many proofs, and which alone can insure the self-government and the existence of Servia.

Kanlidja, 4th September, 1862.

(L.S.) FUAD.
(L.S.) AALI.
(L.S.) HENRY L. BULWER.
(L.S.) M. DE MOUSTIER.
(L.S.) DE PROKESCH OSTEN.
(L.S.) A. LOBANOW.
(L.S.) G. WERTZERN.
(L.S.) BELLA-CARRACCIOLO.

INSTRUCTIONS *given by the Sublime Porte to the Governor of Belgrade.*

[Referred to in Article IV of the above Firman.]

THE Sublime Porte has been always animated with the greatest good will towards the Servian people. As the natural consequence of this good will, our august Sovereign desires sincerely the progressive development of their prosperity; and moved by this invariable principle, His Imperial Majesty cannot tolerate anything which might injure it. In order, therefore, that you may thoroughly understand this, and with a view to avoid all conflict between authorities, I have the Royal Order to indicate to you the following points, which will serve you for the regulation of your conduct in the exercise of your duties:

1. You are aware that the Internal Administration of the Principality of Servia is confided exclusively to the Prince and his functionaries. You will not therefore mix yourself up in any manner in matters which concern that administration.

2. You will do everything in your power to live in good

harmony with the Servian administration, and you will yourself pay, and cause all your subordinates to pay, to the Prince and to his functionaries all the respect which is due to them. In the same manner the Servians will of course not interfere in any manner with what concerns the Fortress, and they will show, and will cause to be shown to you, the respect due to a high functionary of the Sublime Porte, as well as to the officers of the garrison.

3. You will not permit any of the Mussulman inhabitants of Belgrade to live outside the Citadel.

4. You will not give any air of menace, which might without necessity disquiet or alarm the Servian population, to the disposition of your artillery on the ramparts directed towards the town.

5. You will not use artillery except in case of a serious attack made against the Fortress which you are charged to defend.

In case of necessary defence, and in that case only, will you make use of your artillery, taking care to direct the fire only on those parts of the town from whence the attack proceeds, and you will always be animated by the generous intentions of His Imperial Majesty to spare as far as possible a town, to the preservation and prosperity of which he attaches the greatest importance.

6. You must understand that the only object of the preceding Article is to regulate the line of conduct which you should pursue in eventualities which you must do all in your power to avoid. If, after having exhausted all means of conciliation, you find yourself under the unhappy necessity of making use of your cannon to repel an attack on the Fortress, you will endeavour to inform beforehand the Foreign Consuls resident in Belgrade, and if possible the peaceable inhabitants of the town.

No. 339.—*TREATY between France and Switzerland, relative to an Exchange of Territory in the Vallée des Dappes. Signed at Berne, 8th December,* 1862.

ART. TABLE.

Preamble. Reference to *Vienna* Congress Treaty of 1815.
1. Cession to *France*. Cession to *Switzerland*.
2. Military Works not to be erected.
3. Choice of Nationality.
4. Carriage Road between the *French* and *Swiss* Territory.
5. New Road to be free from Transit Dues, &c. Postal Regulations.
6. Rights of Proprietors of Woods.
7. Treaty not to interfere with acquired Rights.
8. Appointment of Boundary Commissioners.
9. Ratifications.

(Translation.*)

Preamble. Reference to Arrangements of 1815.

HIS Majesty the Emperor of the French and the Federal Council of Switzerland, animated by the desire to put an end to the discussions, existing since 1815 (**No. 27**, Art. LXXV), between France and Switzerland, on the subject of the possession of the Vallée des Dappes, have appointed as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, M. le Marquis Turgot, his Ambassador to the Swiss Confederation, &c.;

And the Federal Council of Switzerland, M. Jacques Staempfli, President of the Confederation;

Who have agreed upon the following Articles:

Cession to France.

ART. I. The Swiss Confederation abandons, and France resumes possession and full Sovereignty of that part of the Vallée des Dappes, including:

1. The Mont des Tuffes and its declivities, as far as and including the Rousses Road to Faucille;

2. A strip of land, to the East of that road, of about 150 metres wide, say 500 Swiss feet, following the direction as shown on the Plan annexed to the present Treaty.

Cession to Switzerland.

France cedes to the Swiss Confederation, to form part of the

* For French version see "State Papers," vol. liii, p. 151.

Canton de Vaud, a Territory of equal extent, stretching from the point of junction of the roads of Saint-Cergues and Faucille along the slope of the Mirmont, as far as the Limit of the Vallée de Joux, following the direction pointed out in the annexed Plan. The Road of Saint-Cergues, from the place called the Cure, forms part of this Cession.

Military Works not to be erected.

ART. II. No Military Works shall be erected on the portions of Territory mentioned in the preceding Article.

Choice of Nationality.

ART. III. The Inhabitants natives of the part of the Vallée des Dappes reverting to France, by virtue of the present Treaty, shall become French Subjects, unless they shall, within the space of one year, declare their intention to preserve their Swiss Nationality, in which case they shall be allowed to retain their domicile and their establishments on the Territory of the Empire.

The Inhabitants natives of the part ceded by France to the Swiss Confederation shall become Swiss, unless they shall declare, within the same delay, their wish to remain French Subjects, in which case they shall be allowed to retain their domicile and their establishments on the Swiss Territory.

Carriage Road between the French and Swiss Territory.

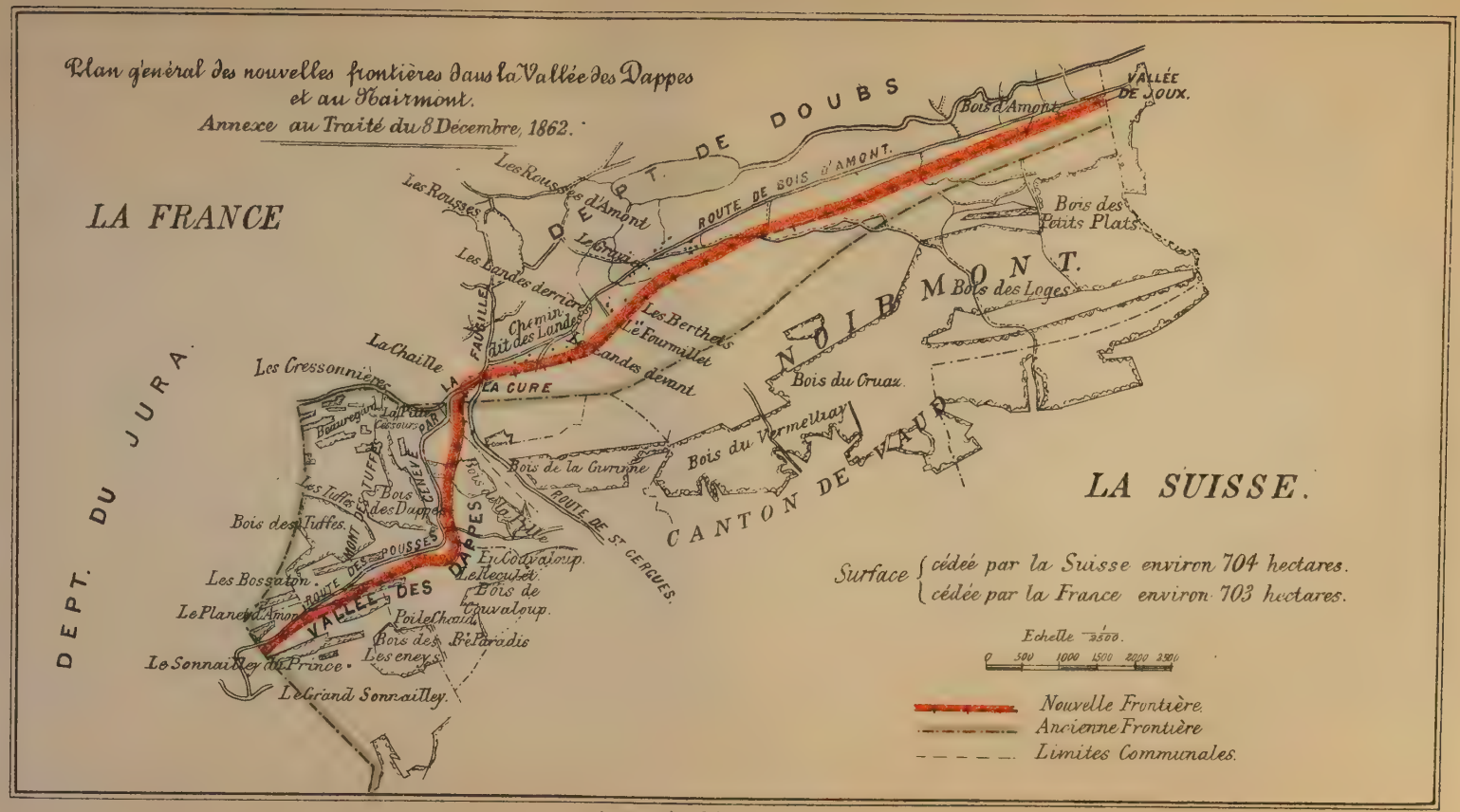
ART. IV. The Road actually existing and named after the Sandy Ground (Landes), shall be improved so as to form a Carriage Road and to establish a direct communication between the Saint-Cergues Road, at its junction with the Faucille Road, near the Cure, and the Road of the Bois d'Amont, near Bertets.

These works shall be completed within two years from the exchange of the Ratifications, and each of the Contracting Parties shall defray the expenses of the part of the new Road situate within its own Territory.

New Road to be free from Transit Dues, &c.

ART. V. The communication of the Vaudois district of the Vallée de Joux with Saint-Cergues, by the Bois d'Amont Road, shall be free from all Transit, Toll, or Customs Dues.

PLAN OF THE VALLÉE DES DAPPES.



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PLAN
OF THE
VALLÉE DES DAPPES,
1862

[Vallee des Dappes.]

Postal Regulations.

The Postal correspondence exchanged between the same points, and the postal walks which the Swiss Postal Administration shall think fit to establish on the same road, shall not be subject to any Tax, or to pay any Duty for journeys on French Territory.

Rights of Proprietors of Woods.

ART. VI. Until the arrangement contemplated by Article VIII of the Treaty of 18th July, 1828, for the regulation of bordering Forests, shall have been concluded, the Proprietors of Woods situated on the Territories respectively ceded shall enjoy the free right to work them, and to remove the produce.

The same right applies to pay and other produce of the Territories respectively ceded.

ART. VII. *Treaty not to interfere with acquired Rights.*

Appointment of Boundary Commissioners.

ART. VIII. The Contracting Parties shall appoint Commissioners to determine on the spot the new Line of Frontier resulting from the present Treaty, taking account, as far as possible, of local circumstances and the division of Property, to erect stakes and to draw up a *procès-verbal* of their operations.

That *procès-verbal* shall be considered as forming part of the one drawn up by the French and Swiss Commissioners appointed for the demarcation of the Frontier between the Canton of Vaud and France, and signed on the 16th September, 1825.

The new Frontier shall form the object of a Topographical statement, made by Staff Officers or Engineers of the two Countries.

*Ratifications.**

ART. IX. The present Treaty shall be ratified, and the Ratifications exchanged as soon as possible.

In testimony whereof the respective Plenipotentiaries have signed the above Articles, under the reservation of their Ratification, and have affixed thereto the Seal of their Arms.

Berne, 8th December, 1862.

(L.S.) TURGOT.
(L.S.) STAEMPFLI.

* Ratifications exchanged at Berne, 20th February, 1863.

No. 340.—*BOUNDARY CONVENTION between France and Spain. Signed at Bayonne, 27th February, 1863.*

TABLE.

Reference to Treaty of 2nd December, 1856, and 14th April, 1862.

Annex I. *Procès-verbal* fixing the Landmarks of the International Frontier.
„ II. Rights respectively enjoyed by the several Frontier Communes in the Territories adjoining the Neighbouring State.
„ III. Regulations for the Seizure of Cattle.

(Translation.*)

Reference to Treaty of 2nd December, 1856, and 14th April, 1862.

His Majesty the Emperor of the French, and Her Majesty the Queen of Spain, wishing to regulate in a definitive manner the execution of the Boundary Treaty concluded at Bayonne, on the 14th April, 1862 (**No. 336**), between France and Spain, and to proceed with the operations for fixing the Boundaries and drawing up the Annexes prescribed by Articles VIII, XV, XVIII, and XXV of the said Treaty, have appointed for that purpose as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, the Sieur Charles Victor Lobstein, Minister Plenipotentiary, &c.; and the Sieur Camille Antoine Callier, General of Brigade, &c.;

And Her Majesty the Queen of Spain, Don Francisco Maria Marin, Minister Plenipotentiary, &c.; and Don Manuel Monteverde y Bethancourt, Marshal of the National Armies, &c.;

Who, after having communicated to each other their respective Full Powers, found to be in good and due form, have drawn up and united in the present Act the three following Annexes, which shall have the same force and value as if they were inserted in the above-mentioned Treaty, of which they form the completion:

ANNEX I to III. (See Table.)

* For French version, see "State Papers," vol. liii, p. 159.

*Ratifications.**

The present Convention shall be ratified, and the Ratifications thereof shall be exchanged as soon as possible.

In testimony whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done at Bayonne, the 27th February, 1863.

(L.S.) VR. LOBSTEIN.
(L.S.) GAL. CALLIER.
(L.S.) FRANCO MA. MARIN.
(L.S.) MANL. MONTEVERDE.

* Ratifications exchanged at Madrid, 21st April, 1863.

No. 341.—*DECREE of the National Assembly of the Hellenes, relative to the Cessation of the Protectorate of Great Britain over the Ionian Islands. Athens, 20th March, 1863.*

(Translation.*)

The Second National Assembly of the Hellenes, at Athens,

Taking into consideration what has been declared in the Speech of Her Majesty the Queen of Great Britain, on the opening of the British Parliament, with reference to the Cessation of the Protectorate of Great Britain over the Ionian Islands,† as well as the communications upon the same subject, made to the Provisional Government by the Envoy Extraordinary of the above-mentioned Power;

Constituting itself, after the Election which has just been made of the King of the Hellenes, the Interpreter of the wishes of the Nation, Decrees:

1. The Hellenic Nation expresses its ardent desire to see the Greek State of the Seven Islands united as soon as possible to

* For French version, see "State Papers," vol. liv, p. 976.

† Extract from the Speech of the Lords Commissioners, on the opening of the British Parliament. 5th February, 1863:—"A Revolution having taken place in Greece, by which the Throne of that Kingdom has become vacant, the Greek Nation have expressed the strongest desire that Her Majesty's son, Prince Alfred, should accept the Greek Crown. This unsolicited and spontaneous manifestation of goodwill towards Her Majesty and her Family, and of a due appreciation of the benefits conferred by the principles and practice of the British Constitution, could not fail to be highly gratifying, and has been deeply felt by Her Majesty.

"But the diplomatic engagements of Her Majesty's Crown (**No. 159**), together with other weighty considerations, have prevented Her Majesty from yielding to this general wish of the Greek Nation.

"Her Majesty trusts, however, that the same principles of choice which led the Greek Nation to direct their thoughts, in the first instance, towards His Royal Highness Prince Alfred, may guide them to the selection of a Sovereign under whose sway the Kingdom of Greece may enjoy the blessings of internal prosperity and of peaceful relations with other States; and if in such a state of things the Republic of the Seven Islands should declare a deliberate wish to be united to the Kingdom of Greece, Her Majesty would be prepared to take such steps as may be necessary for a revision of the Treaty of November, 1815 (**No. 39**), by which that Republic was reconstituted and was placed under the Protection of the British Crown."

Greece, now free, under the Constitutional Sceptre of George I, King of the Hellenes.

2. Thanks are tendered to Her Majesty the Queen of Great Britain, for the benevolent intention which she has already expressed with reference to the accomplishment of that ardent desire of the Greek Nation.

3. The Executive Power is entrusted with the communication of the present Decree to whoever it may concern.

[See also Protocols of Conferences between Great Britain, Austria, &c., of 5th and 26th June, and 1st August, 1863; Decision of Ionian Islands of 19th October, 1863; Treaty between Great Britain, Austria, &c., of 14th November, 1863; Treaty between Great Britain, &c., and Greece of 29th March, 1864; Protocol between Great Britain and Ionian Islands of 28th May, 1864; and Accession of Turkey of 8th April, 1865.]

[For Decree of $\frac{18}{30}$th March, 1863, see page 1543.]

No. 342.—*TREATY between Belgium and the Netherlands relative to the Scheldt Toll. Signed at the Hague, 12th May, 1863.**

[Annexed to the General Treaty of 16th July, 1863.]

ART. TABLE.

Preamble. Reference to Treaty of 19th April, 1839.
1. Renunciation of *Scheldt* Toll by the *Netherlands*.
2. Indemnity to be paid by *Belgium*.
3. Date of Cession of *Scheldt* Toll. Interest on amount not paid.
4. Capitalisation of Toll not to affect previous engagements.
5. Reduction of Pilotage Dues.
6. Ratifications.

(Translation as laid before Parliament.†)

Reference to Treaty of 19th April, 1839.

His Majesty the King of the Belgians, and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, having come to an agreement upon the conditions of the redemption, by way of capitalisation, of the Toll established upon the Navigation of the Scheldt and its mouths by Section 3 of Article IX of the Treaty of the 19th April, 1839 (**No. 184**), have resolved to conclude a special Treaty on that subject, and have named as their Plenipotentiaries:

His Majesty the King of the Belgians, the Sieur Aldephonse Alexander Felix Baron du Jardin, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, &c.;

His Majesty the King of the Netherlands, the Sieur Paul van der Maesen de Sombreff, his Minister for Foreign Affairs, &c.; the Sieur John Rudolph Thorbecke, his Minister of the Interior, &c.; and the Sieur Gérard Henry Betz, his Minister of Finance;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Renunciation of Scheldt Toll by the Netherlands.

ART. I. His Majesty the King of the Netherlands renounces for ever, in consideration of a sum of 17,141,640 Netherland

* See also Treaty of 16th July, and Convention of 3rd August, 1863.
† For French version, see "State Papers," vol. liii, p. 15.

florins, the duty collected upon the Navigation of the Scheldt and its mouths, in virtue of Section 3 of Article IX of the 19th April, 1839.

Indemnity to be paid by Belgium.

ART. II. This sum shall be paid to the Netherland Government by the Belgian Government at Antwerp or Amsterdam, at the option of the latter, the franc being calculated at 47¼ Netherland cents., that is to say:

One-third as soon as may be after the exchange of the Ratifications, and the other two-thirds in 3 equal instalments falling due on the 1st May, 1864, the 1st May, 1865, and the 1st May, 1866.

The Belgian Government shall be at liberty to anticipate the said days of payment.

Date of Cessation of Scheldt Toll.

ART. III. From and after the payment of the first third, the Toll shall cease to be collected by the Government of the Netherlands.

Interest on Amount not paid.

The amount not immediately paid shall bear interest at 4 per cent. per annum for the benefit of the Netherland Treasury.

Capitalisation of Toll not to affect previous Engagements.

ART. IV. It is understood that the Capitalisation of the Toll shall in no way affect the engagements which result, with regard to the two States, from the Treaties in force concerning the Scheldt.

*Reduction of Pilotage Dues.**

ART. V. The Pilotage Dues now collected in the Scheldt are reduced—

20 per cent. for sailing vessels;
25 per cent. for towed vessels;
30 per cent. for steam vessels.

It is, moreover, agreed that the Pilotage Dues in the Scheldt shall never be higher than the Pilotage Dues collected in the mouths of the Meuse.

* A Convention detailing the reduction in Pilotage Dues was signed between Belgium and the Netherlands on the 29th September, 1863.

*Ratifications.**

ART. VI. The present Treaty shall be ratified, and the Ratifications shall be exchanged at the Hague in 4 months, or sooner if possible.

In witness whereof, the aforesaid Plenipotentiaries have signed the same, and have affixed thereto their Seal.

Done at the Hague, the 12th May, 1863.

(L.S.) BARON DU JARDIN.

(L.S.) P. VAN DER MAESEN DE SOMBREFF.

(L.S.) THORBECKE.

(L.S.) BETZ.

* Ratifications exchanged at the Hague, 14th July, 1863.

No. 343.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, France, and Russia, relative to the Termination of the Bavarian Order of Succession to the Throne of Greece. London, 16th May, 1863.*

TABLE.

Termination of *Bavarian* Order of Succession in *Greece*. Invitation to King of *Bavaria* to send a Plenipotentiary to Conference.

(Translation as laid before Parliament.*)

Present: The Plenipotentiaries of France, Great Britain, and Russia.

Termination of Bavarian Order of Succession in Greece. Invitation to King of Bavaria to send a Plenipotentiary to Conference.†

THE Principal Secretary of State for Foreign Affairs of Her Britannic Majesty opened the sitting by an historical summary of the events which have terminated the order of Succession established in Greece by the Convention concluded at London on the 7th May, 1832 (**No. 159**), between the Courts of France, Great Britain, and Russia on the one part, and His Majesty the King of Bavaria acting in the character of guardian of his second son, the Prince Frederick Otho of Bavaria, on the other part.

The Plenipotentiaries seriously considered those events which have been brought to pass under circumstances entirely foreign to the action of their Courts.

Such being the facts, they acknowledged, with an unanimous feeling of regret, that after an experience of 30 years, the order of things established in 1832 has not consolidated itself in Greece under the Dynasty which the Convention of the 7th May (**No. 159**) called to the Throne, in virtue of the power then delegated by the Greek Nation to the Courts of France, Great Britain, and Russia. Their commission is, therefore, actually at an end; but the negotiations which preceded the signature of the said Convention, as well as of the Explanatory and Supplementary Article of the 30th April, 1833 (**No. 166**), having been carried on with the participation of the Minister of His Majesty the

* For French version, see "State Papers," vol. liii, p. 144.

† See Protocol of 27th May, 1863.

King of Bavaria, the Plenipotentiaries of France, Great Britain, and Russia deemed it proper to place upon record the intention of their respective Courts to offer to the august Head of the House of Bavaria a due testimony of respect, by inviting him to authorize his Representative at London to take part in their deliberations.

And after reading the present Protocol, drawn up by common consent, the Plenipotentiaries of France, Great Britain, and Russia affixed their signatures thereto.

BON. GROS.
RUSSELL.
BRUNNOW.

No. 344.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, France, and Russia relative to the Greek Succession. London, 27th May,* 1863.

TABLE.

No *Bavarian* Minister authorised to take part in Conferences. Reservation of King of *Bavaria* in favour of younger Branches of Royal Family of *Bavaria*. Duty of Protecting Powers to replace *Greece* under system of Monarchial Principles.

(Translation as laid before Parliament.*)

Present: The Plenipotentiaries of France, Great Britain, and Russia.

No Bavarian Minister authorised to take part in Conferences. Reservation of King of Bavaria in favour of Younger Branches of Royal Family of Bavaria. Duty of Protecting Powers to replace Greece under system of Monarchial Principles.

THE Plenipotentiaries of France, Great Britain, and Russia met for the purpose of taking cognizance of the result of the step taken at Munich by the Representatives of the 3 Protecting Powers, in conformity with the Resolutions adopted by the Conference on the 16th May (**No. 343**).

The Principal Secretary of State of Her Britannic Majesty announced that the Court of Bavaria had not authorised its Minister accredited to Her Britannic Majesty to take part in the deliberations opened at London.

In the absence of that Minister, the Principal Secretary of State of Her Britannic Majesty thought it, however, his duty to make mention of the reservations made in the month of April last by the Court of Bavaria in favour of the younger branches of the Royal Family of Bavaria, which Article VIII of the Convention of 7th May, 1832 (**No. 159**), substituted contingently for His Majesty King Otho, in case that Sovereign should die without direct and lawful issue.

It was agreed, by common consent, that such Declaration should be inserted in the present Protocol.

Considering, nevertheless, that the impossibility of hencefor-

* For French Version, see "State Papers," vol. liii, p. 145.

ward carrying into execution the Stipulations of the aforesaid Article VIII results from an event beyond control, for which the 3 Protecting Powers are in no way responsible, the Plenipotentiaries of France, Great Britain, and Russia agreed that their Courts, while released from their trust by circumstances unprovided for by the Convention of 1832 (**No. 159**), could not indefinitely defer the time when it would be fitting to replace Greece under a system conformable to the monarchial principles which it is their interest to maintain in the new State founded by their united efforts.

In conclusion, they placed upon record that the events which have recently taken place in Greece cannot affect the firm resolution of their Courts by common consent to watch over the maintenance of the Repose, of the Independence, and of the Prosperity of the Hellenic Kingdom, which France, Great Britain, and Russia contributed to found in the general interest of Civilization, of Order, and of Peace.*

BON. GROS.
RUSSELL.
BRUNNOW.

* See Treaty of 13th July, 1863.

No. 345.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, France, Russia, and Denmark, relative to the Succession to the Throne of Greece, and to the Annexation of the Ionian Islands to that Kingdom. London, 5th June,* 1863.*

SECT. TABLE.

Acceptance, by King of *Denmark*, of Throne of *Greece* for Prince William of *Denmark*. *Ionian Islands* to be annexed to *Greece*. Dotation of the Prince. Religion of King and his Successors.

1. *Ionian Islands*, if united to *Greece*, to appropriate £10,000 annually for Augmentation of Civil List of King George I.
2. Readiness of Courts of *Great Britain*, *France*, and *Russia* to give up £4,000 annually, to form a personal dotation to the King.
3. Religion of King George's Successors.
4. Crowns of *Greece* and *Denmark* never to be United.
5. A Convention to be concluded.
6. Steps to be taken for Recognition of King George I.

Annex A.

Letter from *Greek* Government, inclosing Decree, proclaiming Prince Christian William Ferdinand Adolphus George of *Denmark* King of *Greece*.

Decree, 30th March, 1863.

Annex B.

Acceptance of Hereditary Sovereignty of *Greece* for Prince Christian William Ferdinand Adolphus George of *Denmark* on condition that the *Ionian Islands* be united to *Greece*.

(Translation as laid before Parliament.†)

Present: The Plenipotentiaries of France, Great Britain, Russia, and Denmark.

Acceptance, by King of Denmark, of Throne of Greece for Prince William of Denmark. Ionian Islands to be annexed to Greece. Dotation of the Prince. Religion of King and his Successors.

THE Plenipotentiaries of France, Great Britain, and Russia, acknowledging the necessity of determining without delay on the means for replacing Greece under a system conformable to the principles the inviolability of which is maintained by the Protocol of the 27th May (**No. 344**) in the general interest of Order and

* See Treaty of 13th July, 1863.

† For French version, see "State Papers," vol. liii, p. 148.

of Peace, assembled in Conference to decide upon the arrangements to be taken by common agreement for giving effect to the wishes of the Greek Nation, which call the Prince William of Denmark to the Hellenic Throne.

In order to obtain this end, the Plenipotentiaries resolved, in conformity with the orders of their Courts, to invite the Minister of His Majesty the King of Denmark to take part in their deliberations.

The Plenipotentiary of Denmark, in virtue of the authorisation which he had received from his Court, accepted the invitation.

On the proposition of Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, the Plenipotentiaries proceeded to read:

1. The Decree dated the $\frac{18}{30}$th March, 1863, whereby the National Assembly unanimously proclaimed Prince William, second son of His Royal Highness Prince Christian of Denmark, Constitutional King of the Greeks, under the title of George I, King of the Greeks.

2. The note dated the 4th June, whereby the Minister of Denmark accredited to Her Britannic Majesty announces that, in accordance with His Royal Highness Prince Christian, acting in the character of guardian of his second son Prince Christian William Ferdinand Adolphus George, a minor, His Majesty the King of Denmark accepts for the Prince Christian William Ferdinand Adolphus George the hereditary Sovereignty of Greece, but on the express condition that the Ionian Islands shall be effectively united to the Hellenic Kingdom.

After having maturely examined the purport of these documents, which are annexed to the present Protocol *sub litt.* A and B, the Plenipotentiaries of France, Great Britain, and Russia announced the adhesion of their Courts to the Acts in virtue of which Prince William of Denmark, with the consent of His Majesty the King of Denmark and of his father Prince Christian, is called to the Hellenic Throne under the title of George I, King of the Greeks.*

Desiring to facilitate the realisation of the wishes of the Greek Nation, the Courts of France, Great Britain, and Russia have authorised their Representatives to set forth the following Resolutions:

* Subsequently altered to "King of the Hellenes." See Protocols of 3rd August and 13th October, 1863.

Ionian Islands, if united to Greece, to appropriate £10,000 *annually for Augmentation of Civil List of King George I.**

§ 1. The Principal Secretary of State of Her Britannic Majesty declared that if the Union of the Ionian Islands to the Hellenic Kingdom, after having been found to be in accordance with the wishes of the Ionian Parliament, should obtain the assent of the Courts of Austria, France, Prussia, and Russia, Her Britannic Majesty would recommend to the Government of the United States of the Ionian Islands to appropriate, annually, a sum of £10,000 sterling for the purpose of augmenting the Civil List of His Majesty George I, King of the Greeks.

Readiness of Courts of Great Britain, France, and Russia to give up £4,000 *annually, to form a personal dotation to the King.*†

§ 2. The Plenipotentiaries of France, Great Britain, and Russia declared that each of the 3 Courts was disposed to give up, in favour of Prince William, £4,000 sterling a year out of the sums which the Greek Treasury has engaged itself to pay annually to each of them in pursuance of the arrangement proposed at Athens by the Representatives of the 3 Powers, and accepted by the Greek Government, with the concurrence of the Chambers, in the month of June, 1860 (**No. 313**).

It is expressly understood that these 3 sums, forming a total of £12,000 sterling annually, shall be destined to constitute a personal dotation of His Majesty the King, in addition to the Civil List fixed by the law of the State.

Religion of King George's Successors.‡

§ 3. In conformity with the principle of the Hellenic Constitution recognised by the Treaty signed at London on the 20th November, 1852 (**No. 231**), and proclaimed by the Decree of the National Assembly of the $\frac{18}{30}$th March, 1863,§ the legitimate successors of King George I must profess the tenets of the Orthodox Church of the East.

Crowns of Greece and Denmark never to be United.‖

§ 4. In no case shall the Crown of Greece and the Crown of Denmark be united on the same head.

* See Treaty of 13th July, 1863, Art. IX.
† See Treaty of 13th July, 1863, Art. X.
‡ See Treaty of 13th July, 1863, Art. VII.
§ Page 1542.
‖ See Treaty of 13th July, 1863, Art. VI.

*A Convention to be concluded.**

§ 5. The Plenipotentiaries reserve to their Courts to give to the arrangements above set forth the form of a Convention.

Steps to be taken for Recognition of King George I.

§ 6. The Courts of France, Great Britain, and Russia shall from this moment use their influence in order to procure the recognition of Prince William as King of the Greeks, under the name of George I, by all the Sovereigns and States with whom they have relations.

After having agreed upon the Resolutions contained in the present Protocol, the Plenipotentiaries affixed their signatures thereto.

BON. GROS.
RUSSELL.
BRUNNOW.
BILLE, *sub spe rati.*

Annex A to the Protocol of the Conference of 5th June, 1863.

Letter from Greek Government, inclosing Decree, proclaiming Prince Christian William Ferdinand Adolphus George of Denmark, King of Greece.

M. L'ENVOYÉ, *Athens, March* 31, 1863.

I HAVE the honour to transmit to you herewith a French translation of the Decree which was yesterday unanimously passed by the National Assembly, and by which the Prince Christian William Ferdinand Adolphus George, second son of the Prince Christian of Denmark, is proclaimed Constitutional King of the Greeks under the name of George I.

This election, which has been received with the greatest enthusiasm by the people of the capital, will, by terminating the Revolution of the 23rd October, open a new era of happiness and prosperity for Greece.

In requesting you, Sir, to have the goodness to bring the said Decree to the knowledge of [the Government of] Her Majesty the Queen of Great Britain and Ireland, I have no doubt that the British Government, animated by sentiments of friendship to-

* See Treaty of 13th July, 1863.

wards Greece, will see with pleasure the termination of the crisis through which we have passed.

Accept, &c.,

D. E. MAVROCORDATO.

The Hon. Henry Elliot.

DECREE *No. XXV*, 30*th March*, 1863.

The Second National Assembly of the Greeks at Athens, Decrees:

ART. I. The Prince Christian William Ferdinand Adolphus George, second son of the Prince Christian of Denmark, is proclaimed by the Assembly, unanimously, Constitutional King of the Greeks, under the name of George I, King of the Greeks.*

ART. II. The legitimate successors of King George must profess the tenets of the Orthodox Church of the East.

ART. III. A Commission of 3 members, chosen by the Assembly, shall repair to Copenhagen, and shall offer to him the Crown in the name of the Hellenic Nation.

Annex B to the Protocol of the Conference of 5th June, 1863.

Acceptance of Hereditary Sovereignty of Greece for Prince Christian William Ferdinand Adolphus George of Denmark on condition that the Ionian Islands be United to Greece.

Legation of Denmark, London, 4th June, 1863.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Denmark, has the honour, by order of his Government, to declare that, in accordance with His Royal Highness the Prince Christian of Denmark, acting in the character of guardian of his second son, the Prince Christian William Ferdinand Adolphus George, a minor, His Majesty the King of Denmark accepts for that Prince the Hereditary Sovereignty of Greece, which has been offered to him by a Decree of the Hellenic National Assembly, dated the $\frac{18}{30}$th March last. Such acceptance has, however been given under the expectation and on the express condition that the Ionian Islands shall be effectively united to the Hellenic Kingdom.

TORBEN BILLE.

* Title subsequently altered to "King of the Hellenes." See Protocols of 3rd August and 13th October, 1863.

No. 346.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, France, and Russia, respecting the Affairs of Greece. London, 26th June, 1863.**

(Translation as laid before Parliament.†)

Guarantee by Protecting Powers of Political existence and Frontiers of Greece. Union of Ionian Islands to Greece. Greek Loan.

PRESENT: The Plenipotentiaries of Great Britain, France, and Russia.

After having signed the Protocol of the 5th of this month (**No. 345**), relative to the arrangements to be made in order to facilitate the Accession of Prince William to the Hellenic Throne, the Plenipotentiaries of Great Britain, France, and Russia have considered it necessary to place upon record the agreement established between their Courts upon the two following points:

1. With regard to the Guarantee of the Political existence and of the Frontiers of the Kingdom of Greece, the 3 Protecting Powers simply maintain the terms in which it is expressed by Article IV of the Convention of 7th May, 1832 (**No. 159**).

It is agreed that the Ionian Islands shall be included in that Guarantee, when their Union to the Hellenic Kingdom shall have obtained the assent of the parties interested.

2. With regard to the Financial obligations which Greece has contracted towards the 3 Protecting Powers, on account of the Loan, in virtue of Article XII of the Convention of 7th May, 1832 (**No. 159**), it is understood that the Courts of Great Britain, France, and Russia will, in concert, watch over the strict execution of the engagement proposed at Athens by the Representatives of the 3 Powers, and accepted by the Greek Government, with the concurrence of the Chambers, in the month of June, 1860 (**No. 318**).

The Representatives of the 3 Powers in Greece shall for this purpose receive instructions prepared in the same spirit, to serve as the rule for their conduct.

The 3 Courts shall communicate to each other those Instructions, destined to protect their interest by united efforts.

RUSSELL.
BON. GROS.
BRUNNOW.

* See Treaty of 13th July, 1863.

† For French version, see "State Papers," vol. liii, p. 149.

No. 347.—*TREATY between Great Britain, France, and Russia, on the one part, and Denmark, on the other part, relative to the Accession of Prince William of Denmark to the Throne of Greece. Signed at London, 13th July, 1863.**

ART. TABLE.

Preamble. Reference to Guarantee of *Great Britain, France,* and *Russia.*
1. Acceptance of Hereditary Sovereignty of *Greece* by King of *Denmark* for Prince William of *Denmark.*
2. Title of King of the *Greeks.*
3. *Greece* to form a Monarchical, Independent, and Constitutional State.
4. Limits of *Greek* Territory. Annexation of *Ionian Islands* to *Greece.*
5. Union of *Ionian Islands* to be under Guarantee of Protecting Powers.
6. Crowns of *Greece* and *Denmark* never to be united.
7. Religion of King of *Greece.*
8. Majority of King of *Greece.*
9. Appropriation by *Ionian Islands* to Civil List of King of the Greeks.
10. Personal Dotation to King of the Greeks by Protecting Powers.
11. Financial Engagements of *Greece* to be maintained. *Greek* Loan.
12. Recognition of Prince William of *Denmark* by Foreign Powers.
13. Arrival of King George I in *Greece.*
14. Support to *Greek* Government.
15. Ratifications.

(Translation as laid before Parliament.†)

Reference to Guarantee of Great Britain, France, and Russia.

In the Name of the Most Holy and Indivisible Trinity.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias, being anxious to smooth the difficulties which have occurred in the Kingdom of Greece, placed under their common Guarantee (**No. 159**), have judged it necessary to come to an understanding with regard to the arrangements to be taken in order to give effect to the wish of the Greek Nation, which calls the Prince William of Denmark to the Hellenic Throne.

His Majesty the King of Denmark, on his part, responding to the invitation of their said Majesties, has consented to afford them his co-operation with a view to that result, conformable to the interests of the general Peace.

* See Treaties of 14th March, 1863, and 29th March, 1864.

† For French version, see "State Papers," vol. liii, p. 28.

In consequence, their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias, on the one part, and His Majesty the King of Denmark on the other, have resolved to conclude a Treaty, and have for that purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, her Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of the French, the Sieur John Baptist Louis Baron Gros, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his actual Privy Councillor, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the King of Denmark, the Sieur Torben de Bille, his Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

Acceptance of Hereditary Sovereignty of Greece by King of Denmark for Prince William of Denmark.

ART. I. His Majesty the King of Denmark, in accordance with the Prince Christian of Denmark, acting in the character of guardian of his second son the Prince Christian William Ferdinand Adolphus George, accepts for that Prince, a minor, the hereditary Sovereignty of Greece, which is offered to him by the Senate and the National Assembly of Greece in the name of the Hellenic Nation.

Title of King of the Greeks.

ART. II. The Prince William of Denmark shall bear the title of George I, King of the Greeks (*Roi des Grecs*).*

Greece to form a Monarchical, Independent, and Constitutional State.

ART. III. Greece, under the Sovereignty of Prince William of

* Title subsequently altered to "King of the Hellenes." See Protocols of 3rd August and 13th October, 1863.

Denmark, and the Guarantee of the 3 Courts, forms a Monarchical, Independent, and Constitutional State.

*Limits of Greek Territory. Annexation of Ionian Islands to Greece.**

ART. IV. The Limits of the Greek Territory, determined by the arrangement concluded at Constantinople between the 3 Courts and the Ottoman Porte, on the 21st July, 1832 (**No. 161**), shall receive an extension by the Union of the Ionian Islands with the Hellenic Kingdom, when such Union, proposed by the Government of Her Britannic Majesty, shall have been found to be in accordance with the wishes of the Ionian Parliament, and shall have obtained the assent of the Courts of Austria, France, Prussia, and Russia.†

Union of Ionian Islands to be under Guarantee of Protecting Powers.

ART. V. The Ionian Islands, when their Union with the Kingdom of Greece shall have been effected, shall be comprised in the Guarantee stipulated by Article III of the present Treaty.

Crowns of Greece and Denmark never to be united.

ART. VI. In no case shall the Crown of Greece and the Crown of Denmark be united on the same head.

Religion of King of Greece.

ART. VII. In conformity with the principle of the Hellenic Constitution recognised by the Treaty signed at London, on the 20th November, 1852 (**No. 231**), and proclaimed by the Decree of the National Assembly of Greece, of the 30th March, 1863,† the legitimate successors of King George I must profess the tenets of the Orthodox Church of the East.

Majority of King of Greece.

ART. VIII. The Majority of Prince William of Denmark, fixed by the law of the Royal Family at 18 years complete, that is to say, on the 24th December, 1863, shall be considered as attained before that date, if a Decree of the National Assembly should recognise the necessity thereof.

* See Protocol of 1st August, 1863, and Treaties of 29th March, 1864.

† Decree $\frac{13}{25}$th March, 1863, page 1543. Annexed to Protocol of 5th June, 1863.

Appropriation by Ionian Islands to Civil List of King of the Greeks.

ART. IX. At the moment when the Union of the Ionian Islands with the Hellenic Kingdom shall take place, according to the terms of Article IV of the present Treaty, Her Britannic Majesty will recommend to the Government of the United States of the Ionian Islands to appropriate annually a sum of £10,000 sterling to augment the Civil List of His Majesty George I, King of the Greeks (*Roi des Grecs*).*

Personal Dotation to King of the Greeks by Protecting Powers.

ART. X. Each of the 3 Courts will give up in favour of Prince William of Denmark £4,000 a year out of the sums which the Greek Treasury has engaged to pay annually to each of them, in pursuance of the arrangement concluded at Athens by the Greek Government, with the concurrence of the Chambers, in the month of June, 1860 (**No. 318**).

It is expressly understood that these three sums, forming a total of £12,000 sterling annually, shall be destined to constitute a personal Dotation of His Majesty the King, in addition to the Civil List fixed by the Law of the State.

Financial Engagements of Greece to be maintained. Greek Loan.

ART. XI. The Accession of Prince William to the Hellenic Throne shall not involve any change in the Financial Engagements which Greece has contracted by Article XII of the Convention signed at London, on the 7th May, 1832 (**No. 159**), towards the Powers Guarantees of the Loan.

It is equally understood that the Powers will, in concert, watch over the execution of the engagement taken by the Hellenic Government in the month of June, 1860 (**No. 318**), upon the representation of the 3 Courts.†

Recognition of Prince William of Denmark by Foreign Powers.

ART. XII. The 3 Courts shall, from this moment, use their influence in order to procure the recognition of Prince William of Denmark in the character of King of the Greeks (*Roi des Grecs*),* by all the Sovereigns and States with whom they have relations.

* Title subsequently altered to "King of the Hellenes" (*Roi des Hellènes*). See Protocols of 3rd August and 13th October, 1863.

† See note, page 1445.

Arrival of King George I in Greece.

ART. XIII. His Majesty the King of Denmark reserves to himself to take the measures which may be most proper for facilitating the arrival of King George I in his dominions as soon as possible.

Support to Greek Government.

ART. XIV. The 3 Courts will bring the present Treaty to the knowledge of the Greek Government, and will afford to that Government all the support in their power, while awaiting the speedy arrival of His Majesty the King.

*Ratifications.**

ART. XV. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London in 6 weeks, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 13th day of July, in the year of Our Lord, 1863.

(L.S.) RUSSELL. (L.S.) BILLE.
(L.S.) BON. GROS.
(L.S.) BRUNNOW.

* Ratifications exchanged at London, 3rd August, 1863.

No. 348.—*TREATY between Great Britain, Austria, Brazil, Chile, Denmark, France, Hanover, Italy, Oldenburg, Peru, Portugal, Prussia, Russia, Spain, Sweden and Norway, Turkey, and the Hanse Towns, on the one part, and Belgium on the other part, for the Redemption of the Scheldt Toll. Signed at Brussels, 16th July,* 1863.*

ART. TABLE.

Preamble. Reference to Vienna Congress Treaty of 9th June, 1815, and to Treaty of 19th April, 1839.
1. Suppression of the *Scheldt* Toll by the *Netherlands*. Suppression of *Scheldt* Toll to apply to all Nations.
2. Acceptance by *Belgium* of Terms for Suppression of *Scheldt* Toll.
3. Abolition of Tonnage Dues in *Belgian* Ports. Reduction of Pilotage Dues. Local Taxes to be diminished.
4. Indemnity to be given to *Belgium* by Contracting Parties.
5. Manner and time of Payment of Indemnity.
6. Legislative sanction to be obtained by Contracting Parties.
7. Stipulations obligatory only towards Powers signing, or acceding to Treaty.
8. Ratifications.

(Translation as laid before Parliament.†)

Reference to Vienna Congress Treaty of 9th June, 1815, *and to Treaty of 19th April,* 1839.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the Belgians, His Majesty the Emperor of Brazil, His Excellency the President of the Republic of Chile, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Majesty the King of Hanover, His Majesty the King of Italy, His Royal Highness the Grand Duke of Oldenburgh, His Excellency the President of the Republic of Peru, His Majesty the King of Portugal and the Algarves, His Majesty the King of

* See also Treaty between Great Britain and Belgium of 3rd August, 1863.

† For French version, see "State Papers," vol. liii, p. 8.

Prussia, His Majesty the Emperor of All the Russias, His Majesty the King of Sweden and Norway, His Majesty the Emperor of the Ottomans, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburgh, being equally animated with the desire to liberate for ever the navigation of the Scheldt from the Toll now imposed upon it (**No. 27**), to secure the reform of the Maritime Taxes collected in Belgium, and thereby to facilitate the development of the commerce and navigation of their respective dominions, have resolved to conclude a Treaty for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Charles Augustus Lord Howard de Walden and Seaford, a Peer of the United Kingdom, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Charles Baron de Hügel, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Majesty the King of the Belgians, the Sieur Charles Rogier, his Minister for Foreign Affairs, &c.; and the Sieur Augustus Baron Lambermont, Secretary General in the Office for Foreign Affairs, &c.;

His Majesty the Emperor of Brazil, the Sieur Joachim Thomas do Amaral, his Minister Resident to His Majesty the King of the Belgians, &c.;

His Excellency the President of the Republic of Chile, Don Manuel Carvallo, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians;

His Majesty the King of Denmark, the Sieur Francis Preben, Baron de Bille-Brahe, his Minister Resident to His Majesty the King of the Belgians, &c.;

Her Majesty the Queen of Spain, Don Diego Coello de Portugal y Quesada, a Deputy to the Cortes, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians and to the Swiss Confederation, &c.;

His Majesty the Emperor of the French, the Sieur Joseph Alphonse Paul, Baron de Malaret, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Majesty the King of Hanover, the Sieur Boldo, Baron de

Hodenberg, Minister Resident of His Majesty the King of Hanover to their Majesties the King of the Belgians and the King of the Netherlands, &c.;

His Majesty the King of Italy, the Sieur Albert Lupi, Count de Montalto, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Royal Highness the Grand Duke of Oldenburg, the Sieur Geffcken, Doctor of Laws, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Excellency the President of the Republic of Peru, Don Manuel Yrigoyen, his Chargé d'Affaires to the Government of His Majesty the King of the Belgians;

His Majesty the King of Portugal and the Algarves, the Sieur Joseph Maurice Correa Henriquez, Viscount of Seisal, a Member of his Council, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians and His Majesty the King of the Netherlands, &c.;

His Majesty the King of Prussia, the Sieur Charles Frederick de Savigny, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Majesty the Emperor of All the Russias, the Prince Nicholas Orloff, his Aide-de-Camp General, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

His Majesty the King of Sweden and Norway, the Sieur Adalbert de Mansbach, his Minister Resident to His Majesty the King of the Belgians, &c.;

His Majesty the Emperor of the Ottomans, Musurus Bey, a Functionary of the rank of *Bala* of his Imperial Government, his Ambassador Extraordinary and Plenipotentiary to His Majesty the King of the Belgians, &c.;

And the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburgh, the Sieur Geffcken, Doctor of Laws, Envoy Extraordinary and Minister Plenipotentiary of the said Cities to His Majesty the King of the Belgians, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

Suppression of the Scheldt Toll by the Netherlands.

ART. I. The High Contracting Parties place upon record:

[Scheldt Toll.]

1. The Treaty concluded on the 12th of May, 1863 (**No. 342**), between Belgium and the Netherlands, which shall remain annexed to the present Treaty, and whereby His Majesty the King of the Netherlands renounces for ever the Toll established on the Navigation of the Scheldt and its mouths by Section 3 of Article IX of the Treaty of the 19th of April, 1839 (**No. 183**), and His Majesty the King of the Belgians engages to pay the Capital of the Redemption of that Toll, fixed at 17,141,640 florins.

Suppression of Scheldt Toll to apply to all Nations.

2. The Declaration made in the name of His Majesty the King of the Netherlands on the 15th of July, 1863 (**No. 349**), to the Plenipotentiaries of the High Contracting Parties, to the effect that the Suppression of the Scheldt Toll agreed to by His said Majesty applies to every flag; that that Toll cannot be re-established under any form whatsoever; and that such Suppression shall in no way affect the other arrangements of the Treaty of the 19th of April, 1839 (**No. 183**), which Declaration shall be considered as if it were inserted in the present Treaty, and shall remain equally annexed thereto.

Acceptance by Belgium of Terms for Suppression of Scheldt Toll.

ART. II. His Majesty the King of the Belgians, in so far as he is concerned, makes the same Declaration as that which is mentioned in Section 2 of the preceding Article.

Abolition of Tonnage Dues in Belgian Ports. Reduction of Pilotage Dues. Local Taxes to be diminished.

ART. III. His Majesty the King of the Belgians further makes to the other Contracting Parties the following engagements, which shall come into operation from the day when the Scheldt Toll shall cease to be collected:

1. The Tonnage Duty imposed in Belgian ports shall cease to be levied;

2. The Pilotage dues in Belgian ports and in the Scheldt shall be reduced:—

20 per cent. for sailing vessels;
25 per cent. for towed vessels;
30 per cent. for steam-vessels.

3. The system of Local Taxes imposed by the City of Antwerp shall be throughout diminished.

It is well understood that the Tonnage Duty thus abolished shall not be re-established, and that the Pilotage Dues and the Local Taxes thus reduced shall not be again raised.

The tariff of Pilotage Dues and that of the Local Taxes at Antwerp, reduced as above stated, shall be inserted in the Protocols of the Conference which has concluded the present Treaty.

Indemnity to be given to Belgium by Contracting Parties.

ART. IV. In consideration of the preceding arrangements, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the Emperor of Brazil, His Excellency the President of the Republic of Chile, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Majesty the King of Hanover, His Majesty the King of Italy, His Royal Highness the Grand Duke of Oldenburg, His Excellency the President of the Republic of Peru, His Majesty the King of Portugal and the Algarves, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias, His Majesty the King of Sweden and Norway, His Majesty the Emperor of the Ottomans, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburgh, engage to pay to His Majesty the King of the Belgians, as their share in the capital of the redemption of the Scheldt Toll, the whole of which His said Majesty has taken upon himself to pay to His Majesty the King of the Netherlands, the sums hereinafter specified, that is to say:

As the share of	Great Britain	.. ..	8,782,320	francs.
,, ,,	Austria	.. ..	549,360	,,
,, ,,	Bremen	.. ..	190,320	,,
,, ,,	Brazil	.. .. ..	1,680	,,
,, ,,	Chile	.. .. ..	13,920	,,
,, ,,	Denmark	.. ..	1,096,800	,,
,, ,,	Spain	.. .. ..	431,520	,,
,, ,,	France	.. ..	1,542,720	,,
,, ,,	Hamburgh	.. ..	667,680	,,
,, ,,	Hanover	.. ..	948,720	,,

As the share of	Italy	487,200	francs.
,, ,,	Lubeck	25,680	,,
,, ,,	Norway	1,560,720	,,
,, ,,	Oldenburg	121,200	,,
,, ,,	Peru	4,320	,,
,, ,,	Portugal	23,280	,,
,, ,,	Prussia	1,670,640	,,
,, ,,	Russia	428,400	,,
,, ,,	Sweden	543,600	,,
,, ,,	Turkey	4,800	,,

It is agreed that each of the High Contracting Parties shall be eventually responsible only for the contributive share placed to its own charge.

Manner and time of Payment of Indemnity.

ART. V. With regard to the manner, the place, and time of the payment of the different Shares, the High Contracting Parties refer to the separate arrangements which are or shall be concluded between each of them and the Belgian Government.

Legislative Sanction to be obtained by Contracting Parties.

ART. VI. The execution of the reciprocal engagements contained in the present Treaty is expressly declared to be subject, in case of need, to the fulfilment of the formalities and rules prescribed by the constitutional laws of those of the High Contracting Parties for whom such a sanction is required, and who engage to take measures for obtaining the same with the least possible delay.

Stipulations obligatory only towards Powers signing or acceding to Treaty.

ART. VII. It is well understood that the arrangements of Article III shall be obligatory only with regard to those Powers which have taken part in or shall accede to the Treaty of this day; His Majesty the King of the Belgians expressly reserving to himself the right of regulating the treatment, in regard to Duties and Customs, of Vessels belonging to Powers which have not or shall not become parties to that Treaty.

[Scheldt Toll.]

*Ratifications.**

ART. VIII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at Brussels before the 1st of August, 1863, or as soon as possible after that date.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Brussels, the 16th day of the month of July, 1863.

(L.S.) HOWARD DE WALDEN AND SEAFORD.
(L.S.) BON. CH. HUGEL.
(L.S.) CH. ROGIER.
(L.S.) BN. LAMBERMONT.
(L.S.) J. T. DO AMARAL.
(L.S.) M. CARVALLO.
(L.S.) P. BILLE-BRAHE.
(L.S.) D. COELLO DE PORTUGAL.
(L.S.) MALARET.
(L.S.) VON HODENBERG.
(L.S.) CTE. DE MONTALTO.
(L.S.) M. YRIGOYEN.
(L.S.) VTE. DE SEISAL.
(L.S.) SAVIGNY.
(L.S.) ORLOFF.
(L.S.) ADALBERT MANSBACH.
(L.S.) C. MUSURUS.
(L.S.) GEFFCKEN.

Treaties to the same effect were signed between Belgium and the United States on the 20th July, 1863; between Belgium and the Netherlands on the 29th September, 1863; and between Belgium and Greece on the 28th September, 1864.

* Ratifications exchanged at Brussels, 3rd August, 1863.

No. 349.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, Austria, Chile, Denmark, Spain, France, Hanover, Italy, Netherlands, Oldenburg, Peru, Portugal, Prussia, Russia, Sweden and Norway, Turkey, Hanse Towns, and Belgium, relative to the Scheldt Toll. Signed at Brussels, 16th July,* 1863.

[Annexed to the General Treaty of the same date.]

TABLE.

Declaration of the *Netherlands* relative to the Redemption of the *Scheldt* Toll.

(Translation as laid before Parliament.*)

Declaration of the Netherlands relative to the Redemption of the Scheldt Toll.

THE Undersigned Plenipotentiaries having met in Conference in order to conclude the General Treaty relative to the Redemption of the Scheldt Toll, and having judged it expedient, previously to putting that arrangement into form, to obtain explanations as to the scope of the Treaty concluded on the 12th May, 1863 (**No. 342**), between Belgium and the Netherlands, resolved, for this purpose, to invite the Minister of the Netherlands to assist at the Conference.

The Plenipotentiary of the Netherlands responded to the invitation, and made the following Declaration:

"The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Netherlands, declares, in virtue of special powers which he has received, that the Suppression of the Scheldt Toll, agreed to by his august Sovereign in the Treaty of the 12th May, applies to every flag; that that Toll cannot be re-established under any form whatsoever; and that that suppression shall in no way affect the other arrangements of the Treaty of the 19th April, 1839 (**No. 183**).

"Brussels, 15th July, 1863.

"BARON GERICKE DE HERWYNEN."

* For French version, see "State Papers," vol. liii, p. 16.

This Declaration was placed on record, and it shall be inserted in or annexed to the General Treaty.

Done at Brussels, 16th July, 1863.

(L.S.) BN. GERICKE DE HERWYNEN.
(L.S.) HOWARD DE WALDEN AND SEAFORD.
(L.S.) BARON DE HUGEL.
(L.S.) J. T. DO AMARAL.
(L.S.) M. CARVALLO.
(L.S.) P. BILLE-BRAHE.
(L.S,) D. COELLO DE PORTUGAL.
(L.S.) H. S. SANDFORD.
(L.S.) MALARET.
(L.S.) VON HODENBERG.
(L.S.) CTE. DE MONTALTO.
(L.S.) M. YRIGOYEN.
(L.S.) VTE. DE SEISAL.
(L.S.) SAVIGNY.
(L.S.) ORLOFF.
(L.S.) ADALBERT MANSBACH.
(L.S.) C. MUSURUS.
(L.S.) GEFFCKEN.
(L.S.) CH. ROGIER.
(L.S.) BN. LAMBERMONT.

No. 350.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, Austria, France, Prussia, and Russia, respecting the Union of the Ionian Islands to Greece. London, 1st August, 1863.**

[This Protocol was annexed to the Treaty of 14th November, 1863.]

TABLE.

Assent of *Austria, France, Prussia,* and *Russia,* to Renunciation by *Great Britain* of Protectorate over *Ionian Islands,* and its Union to *Greece.*
Reference to Treaty of 5th November, 1815.

(Translation as laid before Parliament.†)

Present: The Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia.

Assent of Austria, France, Prussia, and Russia to Renunciation by Great Britain of Protectorate over Ionian Islands, and its Union to Greece.

Reference to Treaty of 5th November, 1815.

THE Principal Secretary of State of Her Britannic Majesty explained the reasons which induce the Government of Her Majesty to come to an understanding with the Courts of Austria, France, Prussia, and Russia as to the revision of the Treaty of the 5th November, 1815 (**No. 39**), in virtue of which the Ionian Islands were placed under the immediate and exclusive Protection of Great Britain.

Animated by the desire to consolidate by new arrangements the welfare of the People hitherto confided to its care, the Government of Her Britannic Majesty would consider the Union of the Ionian Islands to the Hellenic Kingdom as the solution most conformable to the mutual interests of the two countries, connected with each other by community of origin and of religious belief.

The Representatives of Austria, France, Prussia, and Russia declared:

* See also Treaties of 14th November, 1863, and 29th March, 1864.
† For French version, see "State Papers," vol. liii, p. 23.

That their Courts unanimously acknowledge the right of the Government of Her Britannic Majesty to renounce the exercise of the exclusive Protectorate established by the Treaty of the 5th November, 1815 (**No. 39**):

That they are disposed to grant their assent and to lend their support to the Union of the Ionian Islands to the Hellenic Kingdom, if the wish of the Ionian Parliament should be pronounced in favour of that plan:

That they reserve to the Government of Her Britannic Majesty to consult the Representatives of the Septinsular State on this subject:

That after having obtained certain knowledge of the assent of that Assembly, the Courts of Austria, France, Prussia, and Russia will declare themselves ready to come to an agreement with the Government of Her Britannic Majesty with regard to the definitive terms of the Treaty destined to place the proposed arrangement under the sanction of a European Act.*

APPONYI. BERNSTORFF.
BON. GROS. BRUNNOW.
RUSSELL.

* See Treaties of 14th November, 1863, and 29th March, 1864.

No. 351.—*CONVENTION between Great Britain and Belgium, relative to the Redemption of the Scheldt Toll. Signed at Brussels, 3rd August*, 1863.*

ART. TABLE.

Reference to Treaty of 19th April, 1839.
1. Parliament to be recommended to pay proportion of *Great Britain* towards Redemption of *Scheldt* Toll.
2. Date of Payments.
3. Ratifications.

Reference to Treaty of 19th April, 1839.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, being desirous to complete the arrangements contained in the General Treaty of the 16th July (**No. 348**), to which their Majesties are Contracting Parties, for the Abolition of the Toll levied upon the Navigation of the Scheldt, in virtue of Paragraph 3 of Article IX of the Treaty of the 19th April, 1839 (**No. 183**), have resolved to conclude a Special Convention for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Charles Augustus Lord Howard de Walden and Seaford, a Peer of the United Kingdom, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians, &c.;

And His Majesty the King of the Belgians, the Sieur Charles Rogier, his Minister for Foreign Affairs, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

Parliament to be recommended to pay proportion of Great Britain towards Redemption of Scheldt Toll.†

ART. I. Her Britannic Majesty engages to recommend to her Parliament to enable her to pay to His Majesty the King of the Belgians the sum of 8,782,320 francs, being the proportion falling to the charge of Great Britain, as stipulated by Article IV of the

* Similar Conventions were signed by the other Powers Parties to the Treaty of 16th July, 1863.

† See Supplementary Estimates, House of Commons, 1864, Paper No. 111; 1865, Paper No. 93.

General Treaty signed the 16th July (No. 348), of the whole sum of 17,141,640 florins, to be paid by His Majesty the King of the Belgians to His Majesty the King of the Netherlands, and to be received by His Netherland Majesty in full compensation for the sacrifices which the arrangements of the said Treaty impose upon him.

Date of Payments.

ART. II. The sum of 8,782,320 francs mentioned in the preceding Article shall be paid at Brussels, without interest, to such person as may be authorised by His Majesty the King of the Belgians to receive the same, one-half on the 1st April, 1864, and the other half on the 1st April, 1865.

*Ratifications.**

ART. III. The present Convention shall be ratified, and the Ratifications thereof shall be exchanged at Brussels.

In faith whereof the respective Plenipotentiaries have signed it, and have affixed thereto their Seals.

Made at Brussels, in duplicate, the 3rd August, 1863.

(L.S.) HOWARD DE WALDEN AND SEAFORD. (L.S.) CH. ROGIER.

* Ratifications exchanged at Brussels, 25th August, 1863.

No. 352.—*PROTOCOL OF CONFERENCE between the Plenipotentiaries of Great Britain, France, Russia, and Denmark, respecting the Title of the Sovereign of Greece. London, 3rd August,* 1863.

(Translation as laid before Parliament.*)

Present: The Plenipotentiaries of France, Great Britain, Russia, and Denmark.

Change of Title of King of the Greeks to King of the Hellenes.

Her Britannic Majesty's Principal Secretary of State for Foreign Affairs having opened the meeting, the Minister of His Majesty the King of Denmark read the following Declaration:—

His Majesty King George I, wishing to conform to the usages which prevail in Greece, and to identify himself as much as possible with his adopted country, thinks it proper to declare to the Protecting Powers of Greece that he desires henceforward to take the Title of King of the Hellenes.

The Plenipotentiaries of France and Great Britain not having offered any observation on this subject, and wishing to comply with the desire expressed in the name of His Majesty King George I. by the Plenipotentiary of His Majesty the King of Denmark, engaged in the name of their respective Courts, to recognise His Majesty George I. King of the Hellenes, by the new Title which he has assumed.

The Plenipotentiary of Russia reserved to himself to bring the Declaration of the Plenipotentiary of Denmark to the knowledge of his Court.†

BON. GROS. BRUNNOW.
RUSSELL. BILLE.

* For French version, see "State Papers," vol. liii, p. 31.
† See Protocol of 13th October, 1863.

No. 353.—*PROTOCOL OF CONFERENCE between Great Britain, France, Russia, and Denmark, respecting the Title of the Sovereign of Greece. London, 13th October, 1863.*

(Translation as laid before Parliament.*)

Present: The Plenipotentiaries of France, Great Britain, Russia, and Denmark.

Change of Title of King of the Greeks to King of the Hellenes.

By the Protocol of the 3rd August (**No. 352**), the Plenipotentiary of Russia reserved to himself to announce to his Court the intention of His Majesty King George I to assume the Title of King of the Hellenes, instead of that of King of the Greeks, mentioned in Articles II, IX, and XII of the Treaty of 13th July (**No. 347**).

The Plenipotentiary of Russia now declared that his Court accedes to that change of Title, which had already obtained the assent of the two other Guaranteeing Powers.

In consequence, it was agreed by common consent to substitute, in Articles II, IX, and XII, the Title of King of the Hellenes for that of King of the Greeks.

The Plenipotentiaries deemed it proper to place, moreover, upon record the unanimous accession of their Courts to the further verbal alteration indicated hereinafter.

The Decree of the $\frac{13}{30}$th March, 1863,† referred to in Article I, having been issued by the National Assembly only, it was agreed to omit in the text of the said Article the mention of the "Senate," whose legislative functions had ceased at the time when the wish of the Hellenic Nation called Prince William of Denmark to the Throne of Greece.

The Plenipotentiaries assembled in Conference recorded by the present Protocol these alterations made by order of their Courts, in Articles I, II, IX, and XII, subsequently to the exchange of the Ratifications of the Treaty signed at London on the 13th July (**No. 347**).

The Representatives of the Courts of France, Great Britain, and Russia, at Athens, will be instructed to bring this Protocol to the knowledge of the Hellenic Government.

BON. GROS. BRUNNOW.
RUSSELL. BILLE.

* For French version see "State Papers," vol. liii, p. 32.
† Annexed to the Protocol of 5th June, 1863.

No. 354.—*DECISION of the Assembly of the Ionian States, respecting the Union of the Ionian Islands to Greece. Corfu, $\frac{7}{19}$th October*, 1863.

ART. TABLE.
1. Annexation of the *Ionian Islands* to *Greece.*
2. Amount to be paid towards Civil List of King of the *Hellenes.*
3. Recognition of Contracts and Engagements, as well as all private equitable Claims.
4. British Cemeteries.
5. Military Contribution. *Great Britain* free from all Claims on the part of the *Ionian Islands.*
6. Decision to be approved by *Great Britain.*

THE Assembly of the Ionian States—

Having taken into consideration the Message of His Excellency the Lord High Commissioner, dated the 6th October, 1863, N.S., and with reference to its Decision of the 23rd September, 1863, respecting the Union of the Seven Islands with the Kingdom of Greece:

Decides—

Annexation of Ionian Islands to Greece.

ART. I. As soon as the British Protectorate established in these States in virtue of the Treaty of Paris of the 5th November 1815 (**No. 39**), shall legally cease;* and until the establishment of the new Constitution of Greece, with the Intervention of Ionian Representatives, His Majesty the King of the Hellenes is authorised to exercise over the Ionian Islands and their Dependencies all Rights of Sovereignty, and in such manner (*ὅσα οια και ὡς*) as he shall exercise them in the rest of the Kingdom of Greece:

Consequently the exercise of the Privileges and Functions of the Protecting Sovereign, the Lord High Commissioner, his Residents, and the Most Illustrious the Senate, shall then cease.

* See Treaties of 14th November, 1863, and 29th March, 1864; and Protocol of 28th May, 1864. The Ionian Islands were evacuated by the British Forces on the 2nd June, 1864.

All the other authorities of the State are maintained and shall act on the basis of existing Ionian Laws, under the direction of the proper Ministers of the Kingdom of Greece.

Amount to be paid towards Civil List of King of the Hellenes.

ART. II. On the legal cessation of the payment of the sum of £25,000, hitherto paid yearly to the Military Funds of the Sovereign Protectress, and the sum of £13,000, placed at the disposal of the Lord High Commissioner for the Salaries and Contingencies of his establishment, the sum of £10,000 yearly* is fixed to be paid monthly in augmentation of the Royal Civil List of His Majesty the King of the Hellenes.

This sum shall remain as the first charge on the Ionian revenue, unless due Constitutional provision shall be made for the payment of the said augmentation out of the revenue of the Kingdom of Greece.

Recognition of Contracts and Engagements, as well as all Private Equitable Claims.

ART. III. All Contracts and Engagements entered into up to this time by or on the part of the Ionian Government, and which are contained in the List herewith enclosed, are recognised; and all equitable Claims of Private Individuals and Municipal Governments on the same are guaranteed.†

British Cemeteries.

ART. IV. The right of property in the English Cemeteries in the Ionian States is confirmed to the Government of Her Britannic Majesty, and the Cemeteries are placed under the full protection of the laws of the State.

Military Contribution. Great Britain free from all Claims on the part of the Ionian Islands.

ART. V. Her Britannic Majesty's Government having given a full quittance for the sum of £90,289 5*s.* 7*d.*, arrears of the Military Contribution, as well as for every other Claim on its part of any nature, the Assembly proclaims Her Majesty's Government quit and free from any Claim on the part of the Ionian States.

* See Treaty between Great Britain, &c., and Denmark of 13th July, 1863, Art. IX.

† See also Treaties of 29th March, 1864.

[Union of the Ionian Islands to Greece.]

Decision to be approved by Great Britain.

ART. VI. The present Deliberation shall be submitted to the approval of Her Majesty the Sovereign Protectress, on receiving which it shall be carried into execution.*

STEFANO PADOVAN, *President.*
N. LUSI,
G. DUSMANI, } *Secretaries.*

(INCLOSURE.)—*Return showing the Debts of the Ionian Government on 31st August, 1863, taken from the Public Accounts forwarded by the Treasurer-General to the Chamber, and by that Body accepted.*

Detail.				Debt on the 31st August, 1863.		
				£	*s.*	*d.*
Civil Pension Fund				97	13	11·1
Constables' Pension Fund				3,472	14	5·9
Mocenigo Legacy—	£	*s.*	*d.*			
Capital	41,475	3	8			
Interest due	3,232	8	6			
				44,707	12	2
Treasury Bonds				74,085	11	8
Treasury Obligations, held by New Pension Fund				13,453	0	0†
Treasury Obligations for injuries done to private property				2,693	18	7
Administration of Santa Maura Salines				642	10	3·7
Due to the Ionian Bank and others				70,300	0	0
Savings Banks—						
Corfu	10,366	4	2·2			
Cephalonia	50	0	8			
Zante	30	18	9·7			
Santa Maura	9	7	10			
Cerigo	6	8	8			
Paxo	0	5	0			
				10,463	5	1·9
Judiciary and other Deposits—						
General Treasury	2,214	4	9·3			
Corfu	1,127	13	3·4			
Cephalonia	1,651	16	6·4			
Zante	1,233	9	7			
Santa Maura	645	12	6·3			
Ithaca	348	9	11·6			
Cerigo	732	6	8·1			
Paxo	387	1	4·9			
				8,340	14	9
Convent of St. Gerasimo, Cephalonia				74	4	2·3
French claims				427	16	1·6

* See Treaty of 14th November, 1863.

† This was the amount due on the 31st August, 1863; since then a further debt of £5,058 sterling was contracted by the Treasury.

[Union of the Ionian Islands to Greece.]

Detail.	£	s.	d.	Debt on the 31st August, 1863. £	s.	d.
Indemnification Fund—						
Cephalonia	22	15	10·9			
Zante	48	12	0·1			
Ithaca	58	19	2·8			
Paxo	8	2	4			
				139	9	5·8
Agricultural Bank—						
Corfu	0	15	4·1			
Cerigo	13	16	8·5			
				14	12	0·6
Aqueduct of Corfu				1,863	3	11·7
Deposit on account Convent Revenue Santa Maura ..				0	7	2·3
Penitentiary of Corfu				100	8	2·2
Deposit for purchase of books for Lyceum				430	9	6·4
Total				231,306	11	9·5

STEFANO PADOVAN, *President.*
N. LUSI,
G. DUSMANI, } *Secretaries.*

No. 355.—*TREATY between Great Britain, Austria, France, Prussia, and Russia, for the Annexation of the Ionian Islands to Greece. Signed at London, 14th November, 1863.**

ART. TABLE.

1. Renunciation of *Great Britain* over *Ionian Islands*. Annexation of *Ionian Islands* to *Greece*.
2. Perpetual Neutrality of the *Ionian Islands*.
3. Demolition of Fortifications in Island of *Corfu*.
4. Treaties and Conventions of Commerce and Navigation between *Great Britain* and Foreign Powers to remain in force.
5. Freedom of Worship and Religious Toleration. Free exercise of Roman Catholic Religion. Civil and Political equality between subjects of different Creeds.
6. Treaty to be concluded between Guaranteeing Powers and *Greece*. Withdrawal of British Military Forces.
7. Treaty with *Hellenic* Government to be communicated to *Austria* and *Prussia*.
8. Treaty of 5th November, 1815, annulled. Renunciation by Contracting Parties of all right or pretension over *Ionian Islands*.
9. Ratifications.

(Translation as laid before Parliament.†)

In the Name of the Most Holy and Indivisible Trinity.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland having made known to their Majesties the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, that the Legislative Assembly of the United States of the Ionian Islands, having been duly informed of the intention of Her Majesty to consent to the Union of those Islands to the Kingdom of Greece has unanimously pronounced in favour of that Union (**No. 354**); and the condition prescribed by the last clause of the Protocol signed by the Plenipotentiaries of the 5 Powers on the 1st August last (**No. 350**), being thus fulfilled, their said Majesties, that is to say, the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, have resolved to record in a solemn Treaty the assent which they have given

* See also Treaties of 29th March, 1864, and Protocol of 28th May, 1864.

† For French version, see "State Papers," vol. liii, p. 19.

to that Union, stipulating at the same time the conditions under which it shall be effected.

For this purpose their said Majesties have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, Viscount Amberley of Amberley and Ardsalla, a Peer of the United Kingdom, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Count Felix de Wimpffen, his actual Chamberlain, and Chargé d'Affaires to the Government of Her Britannic Majesty;

His Majesty the Emperor of the French, the Sieur Camille de Nompère de Champagny, Marquis de Cadore, his Chamberlain, and Chargé d'Affaires to the Government of Her Britannic Majesty;

His Majesty the King of Prussia, the Sieur Albert Count de Bernstorff-Stintenburg, his Minister of State and Chamberlain, his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his actual Privy Councillor, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have concluded and signed the following Articles:

Renunciation of Great Britain over Ionian Islands.

ART. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland renounces, on the conditions hereinafter specified, the Protectorate over the Islands of Corfu, Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Paxo, with their dependencies, which, by the Treaty signed at Paris on the 5th November, 1815 (**No. 39**), by the Plenipotentiaries of Great Britain, Austria, Prussia, and Russia, were constituted a single Free and Independent State, under the denomination of the United States of the Ionian Islands, placed under the immediate and exclusive Protection of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors.

Annexation of Ionian Islands to Greece.

Their Majesties the Emperor of Austria, the Emperor of the

French, the King of Prussia, and the Emperor of All the Russias, accept, on the conditions hereinafter specified, the renunciation by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland of the Protectorate of the Ionian Islands; and in conjunction with Her Majesty, recognise the Union of the said States with the Hellenic Kingdom.

Perpetual Neutrality of the Ionian Islands.

ART. II. The Ionian Islands, after their Union to the Kingdom of Greece, shall enjoy the advantages of a perpetual Neutrality;* consequently no armed force, either naval or military, shall at any time be assembled or stationed upon the territory or in the waters of those Islands, beyond the number that may be strictly necessary for the maintenance of public order, and to secure the collection of the public revenue.

The High Contracting Parties engage to respect the principle of Neutrality stipulated by the present Article.

Demolition of Fortifications in Island of Corfu.

ART. III. As a necessary consequence of the Neutrality to be thus enjoyed by the United States of the Ionian Islands, the Fortifications constructed in the Island of Corfu and its immediate dependencies, having no longer any object, shall be demolished, and the demolition thereof shall be effected previously to the withdrawal of the troops employed by Great Britain for the occupation of those Islands in her character as Protecting Power.† This demolition shall take place in such manner as Her Majesty the Queen of the United Kingdom of Great Britain shall deem sufficient to fulfil the intentions of the High Contracting Parties.

Treaties and Conventions of Commerce and Navigation between Great Britain and Foreign Powers to remain in force.

ART. IV. The Union of the Ionian Islands to the Hellenic Kingdom shall not involve any change as to the advantages conceded to foreign Commerce and Navigation in virtue of Treaties and Conventions concluded by Foreign Powers with the Government of Her Britannic Majesty, in her character of Protector of the United States of the Ionian Islands.‡

* Altered by Protocol of 25th January, 1864, and by Treaty of 29th March, 1864, Art. II.

† The Ionian Islands were evacuated by the British Forces on the 2nd June, 1864.

‡ See also Treaty of 29th March, 1864, Art. III.

All the engagements which result from the said transactions, as well as from the regulations actually in force, shall be maintained and strictly observed as hitherto.

In consequence, it is expressly understood that Foreign Vessels and Commerce in Ionian Ports, and, reciprocally, Ionian Vessels and Commerce in Foreign Ports, as well as the Navigation between Ionian Ports and the Ports of Greece, shall continue to be subject to the same treatment, and placed under the same conditions as before the Union of the Ionian Islands to Greece.

Freedom of Worship and Religious Toleration.

ART. V. The Union of the United States of the Ionian Islands to the Kingdom of Greece shall in no wise invalidate the principles established by the existing legislation of those Islands with regard to Freedom of Worship and Religious Toleration; accordingly the rights and immunities established in matters of Religion by Chapters 1 and 5 of the Constitutional Charter of the United States of the Ionian Islands, and specifically the recognition of the Orthodox Greek Church as the dominant Religion in those Islands; the entire Liberty of Worship granted to the Established Church of the Protecting Power; and the perfect Toleration promised to other Christian Communions, shall, after the Union, be maintained in their full force and effect.

Free exercise of Roman Catholic Religion.

The special Protection Guaranteed to the Roman Catholic Church, as well as the advantages of which that Church is actually in possession, shall be equally maintained; and the subjects belonging to that communion shall enjoy in the Ionian Islands the same Freedom of Worship which is recognised in their favour by the Protocol of the 3rd February, 1830 (**No. 149**).

Civil and Political Equality between Subjects of different Creeds.

The principle of entire Civil and Political Equality between subjects belonging to different creeds, established in Greece by the same Protocol, shall be likewise in force in the Ionian Islands.

Treaty to be concluded between Guaranteeing Powers and Greece.

ART. VI. The Courts of France, Great Britain, and Russia, in

their character of Guaranteeing Powers of the Kingdom of Greece, reserve to themselves to conclude a Treaty with the Hellenic Government with regard to the arrangements which may be rendered necessary by the Union of the Ionian Islands to Greece.*

Withdrawal of British Military Forces.

The Military Forces of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland shall be withdrawn from the Territory of the United States of the Ionian Islands in 3 months, or sooner if possible, after the Ratification of the said Treaty.†

Treaty with Hellenic Government to be communicated to Austria and Prussia.

ART. VII. The Courts of France, Great Britain, and Russia engage to communicate to the Courts of Austria and Prussia the Treaty which they shall have concluded with the Hellenic Government in conformity with the preceding Article.

Treaty of 5th November, 1815, annulled. Renunciation by Contracting Parties of all Rights or Pretensions over Ionian Islands.

ART. VIII. The High Contracting Parties agree that from and after the coming into operation of the arrangements comprised in the present Treaty, the stipulations of the Treaty of the 5th November, 1815 (**No. 39**), concluded between the Courts of Great Britain, Austria, Prussia, and Russia, relative to the United States of the Ionian Islands, shall cease to be in force, with the exception of the clause whereby the Courts of Austria, Prussia, and Russia renounced every right or particular pretension which they might have formed in respect to all or any of those Islands or their dependencies, recognised by the Treaty of the 5th November, 1815 (**No. 39**), as forming a single Free and Independent State under the denomination of the United States of the Ionian Islands. By the present Treaty their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, renew and confirm the said Renunciation in their name for their heirs and successors.

* See Treaties of 29th March, 1864.

† The British Forces were withdrawn from the Ionian Islands on the 2nd June, 1864.

*Ratifications.**

ART. IX. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London in 6 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 14th day of November, in the year of Our Lord, 1863.

(L.S.) RUSSELL.
(L.S.) WIMPFFEN.
(L.S.) CADORE.
(L.S.) BERNSTORFF.
(L.S.) BRUNNOW.

* Ratifications exchanged at London, 2nd January, 1864.

No. 356.—*CORRESPONDENCE between Great Britain and France, respecting the proposed meeting of a Congress at Paris. November*, 1863.*

TABLE.

1. Proposal for an International Congress for the preservation of the Peace of *Europe*.
2. Proposal for Congress submitted to the Deliberation of Her Britannic Majesty's Confidential Advisers.
3. Necessity of specifying fixed objects to form Bases of Deliberations.
4. Invitation of *French* Government to its Allies to enter into Explanations, and to come to an understanding on objects of proposed Congress.
5. British reasons for declining Invitation of the Emperor of the *French* to attend proposed Congress.
6. Regret of *French* Government at decision of *Great Britain* not to attend proposed Congress.

(Translation as laid before Parliament.)

(1.) *H.M. the Emperor of the French to H.M. the Queen of Great Britain and Ireland.*

Proposal for an International Congress for the preservation of the Peace of Europe.

MADAM, MY SISTER, *Paris, 4th November*, 1863.

IN face of the events which daily arise and press themselves on attention, I deem it indispensable to impart my whole thought to the Sovereigns to whom the destiny of Nations is confided.

On all occasions when great convulsions have shaken the foundations and deranged the limits of States, solemn compacts have followed to reduce to order the new elements, and to recognise, while revising them, the changes that have been effected.

Such was the object of the Treaty of Westphalia in the 17th century, and of the Negotiations of Vienna, in 1815. It is on this last foundation that the political edifice of Europe now rests; and, nevertheless, your Majesty is not ignorant it is crumbling to pieces on all sides.

If one considers attentively the situation of the different countries, it is impossible not to admit that on almost all points the Treaties of Vienna are destroyed, modified, disregarded, or menaced. Hence there are duties without rule, rights without title, pretensions without restraint. A peril the more formidable,

* See also Further Correspondence upon the same subject, in May and June, 1866.

since the improvements produced by civilisation, which has united peoples together by an identity of material interests, would render War still more destructive.

This is a matter for serious reflection. Let us not delay taking a decision until sudden and irresistible events disturb our judgment, and draw us, in spite of ourselves, in opposite directions. I now therefore propose to your Majesty to regulate the present, and secure the future, by means of a Congress.

Summoned to the throne by Providence and the will of the French people, but brought up in the school of adversity, it is perhaps less allowable for me than for others to ignore the rights of Sovereigns and the legitimate aspirations of peoples. Thus I am ready, without any preconceived system, to bring to an International Council a spirit of moderation and justice, the ordinary portion of those who have undergone so many different trials.

If I take the initiative in such an overture, I do not yield to an impulse of vanity; but because I am the Sovereign to whom ambitious projects have mostly been attributed. I have it at heart to prove, by this frank and loyal overture, that my sole object is to arrive, without convulsion, at the pacification of Europe. If this proposal be agreed to, I beg your Majesty to accept Paris as the place of meeting.

If the Princes, allies and friends of France, should think fit to enhance by their presence the authority of the deliberations, I shall be proud to offer them cordial hospitality. Europe will, perhaps, see some advantage in the capital whence the signal of confusion has so often arisen, becoming the seat of Conferences destined to lay the basis of a general pacification.

I take, &c.,

NAPOLEON.

(2.) *H.M. the Queen of England to H.M. the Emperor of the French.*

Proposal for Congress submitted to deliberation of Her Majesty's Confidential Advisers.

Windsor Castle, 11*th November*, 1863.

SIR, MY BROTHER,

THE letter which your Imperial Majesty addressed to me on the 4th of this month has duly reached my hands. Your Imperial Majesty may feel assured that any suggestion or proposal made by your Imperial Majesty will always command my most earnest and attentive consideration, and more especially when the general

welfare of nations is concerned. I have accordingly directed my confidential advisers to submit to me the opinion which, after due deliberation, they may arrive at in regard to the important measure which your Imperial Majesty recommends for adoption by your allies; and my Principal Secretary of State for Foreign Affairs will, with as little delay as possible, authorise my Ambassador at Paris to make known to your Government the conclusion which, after weighing that opinion, I may feel it my duty to adopt.

I avail, &c.,

VICTORIA R.

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(3) *Earl Russell to Earl Cowley.*

Necessity for specifying fixed Basis of Deliberations of proposed Congress.

My Lord, *Foreign Office*, 12*th November*, 1863.

Her Majesty the Queen having been pleased to refer to her confidential servants a letter of the Emperor Napoleon addressed to Her Majesty, on the subject of a Congress, I proceed to inform you of the view which Her Majesty's Government take of the proposal contained in it.

The letter invites Her Majesty to take part in a Congress to be held in Paris, on the Affairs of Europe.

I am commanded, in the first place, to inform your Excellency that Her Majesty's Government see in this step a proof of the interest taken by His Imperial Majesty in the welfare of Europe.

I will now proceed to remark on the ground stated for this proposal, and then examine the proposal itself.

His Imperial Majesty observes, that on all occasions when great convulsions have shaken the foundations and deranged the limits of States, solemn compacts have been entered into, having for their object to reduce to order the new elements, and to recognise, while revising them, the changes that have been effected. Such was the object of the Treaty of Westphalia in the 17th century, and of the negotiations of Vienna in 1815. On this last foundation the political edifice of Europe now rests, and nevertheless, His Imperial Majesty observes, it is crumbling to pieces on all sides.

The Emperor goes on to state that, if the situation of the different countries is attentively considered, it is impossible not

to admit that in almost all points the Treaties of Vienna are destroyed, modified, disregarded, or menaced.

When so important a proposal as that which the Emperor has put forth is made to rest on certain grounds, it is our duty to examine carefully the grounds themselves.

Nearly half a century has elapsed since the Treaties of 1815 were signed. The work was somewhat hurried by the necessity of giving repose to Europe after so many convulsions. Yet the changes made in this period of 50 years have not been more than might have been expected from the lapse of time, the progress of opinion, the shifting policy of Governments, and the varying exigencies of nations. If we take half a century from the Peace of Westphalia to 1700, or a similar period from the Peace of Utrecht to 1763, we shall find those periods marked by extensive changes, as well as the period which has elapsed between 1815 and 1863.

Yet it was not thought necessary, at the epochs mentioned, to proceed to a general revision either of the Treaty of Westphalia or of the Treaty of Utrecht.

It is the conviction of Her Majesty's Government that the main provisions of the Treaty of 1815 (**No. 27**) are in full force; that the greater number of those provisions have not been in any way disturbed; and that on those foundations rests the Balance of Power in Europe.

If, instead of saying that the Treaty of Vienna has ceased to exist, or that it is destroyed, we inquire whether certain portions of it have been modified, disregarded, or menaced, other questions occur. Some of the modifications which have taken place have received the sanction of all the Great Powers, and now form part of the Public Law of Europe (**Nos. 153, 183—186, 230, 281**).

Is it proposed to give those changes a more general and solemn sanction? Is such a work necessary? Will it contribute to the Peace of Europe?

Other portions of the Treaty of Vienna have been disregarded or set aside, and the changes thus made *de facto* have not been recognised *de jure* by all the Powers of Europe (**Nos. 155, 160, 201—204, 301—303**).

Is it proposed to obtain from Powers which have not hitherto joined in that recognition a sanction to those changes?

Lastly come those parts of the Treaty of Vienna which are menaced, and upon those portions the most important questions

of all arise. What is the nature of the proposals to be made on this subject by the Emperor Napoleon? In what direction would they tend? And, above all, are they, if agreed to by a majority of the Powers, to be enforced by arms?

When the Sovereigns or Ministers of Austria, France, Prussia, Russia, and Great Britain met at Verona, in 1823, upon the affairs of Spain, the first 4 of those Powers carried into effect their resolutions by means of armed forces, in spite of the Protest of Great Britain.* Is this example to be followed at the present Congress in case of disagreement? Upon all these points Her Majesty's Government must obtain satisfactory explanations before they can come to any decision upon the proposal made by the Emperor.

Her Majesty's Government would be ready to discuss with France and other Powers, by diplomatic correspondence, any specified questions upon which a solution might be attained, and European Peace thereby more securely established.

But they would feel more apprehension than confidence from the meeting of a Congress of Sovereigns and Ministers without fixed objects, ranging over the Map of Europe, and exciting hopes and aspirations which they might find themselves unable either to gratify or to quiet.

Her Majesty's Government have no reason to doubt that the Emperor Napoleon would bring into such an Assembly a spirit of moderation and of justice. They feel confident that his object is to give security to the Peace of Europe. The only question is as to the means by which that object is to be obtained.

You are directed to read and give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.,
RUSSELL.

Earl Cowley.

(Translation.)

(4) *M. Drouyn de Lhuys to the Marquis de Cadore.*

Invitation of French Government to its Allies to enter into explanations, and to come to an understanding on objects of Proposed Congress.

(Extract.) *Palace of Compiègne, 23rd November,* 1863.

Lord Cowley communicated to me, some days ago, a despatch from his Excellency Earl Russell, dated the 12th of this month, and which expresses the opinion of the British Government rela-

* The British Government disclaimed any general Right of Interference in the Internal Concerns of Independent Nations; and offered its Mediation. See "State Papers," vol. x, p. 3.

tive to the proposal to call at Paris a Congress to deliberate on the Affairs of Europe. You will find annexed a copy of it. My previous correspondence has answered beforehand some of the considerations developed in this document. It is my duty, nevertheless, to sum up in this despatch, of which you will send a copy to his Excellency the Principal Secretary of State, the motives which have determined the resolution of His Majesty.

The Imperial Government have no intention either to apologise for or to criticise the Treaties of Vienna. The Emperor declared, on mounting the throne, that he should consider himself bound by the engagements subscribed to by his predecessors.* Lately again, in his letter to the Sovereigns,† His Majesty showed that the Diplomatic Acts of 1815 were the foundation on which rests to-day the political edifice of Europe. But this is, he considers, an additional reason for examining whether this foundation is not itself shaken to its base.

Now the Cabinet of London recognises with us that several of these stipulations have been seriously infringed. Amongst the modifications which have taken place, some have been consecrated by the sanction of all the great Powers, and at present constitute a part of international law; others, on the contrary, carried into execution, have not been recognised as law by all the Cabinets. As regards the first, we cannot help calling attention to the irresistible power with which they have forced themselves on the acceptance of the Governments. The eagerness of England herself to give to them her adhesion, proves how little the former combinations answered, according to the expression of Lord Russell, the requirements of the lapse of time, the progress of opinion, the shifting policy of Governments, and the varying exigencies of nations; on the other hand, are not we authorised in believing that changes so important have diminished to some extent the harmony and equilibrium of the whole? We admit, with Lord Russell, that it is not absolutely necessary to give to these changes a more general and more solemn sanction; but we consider it would be an advantage to clear away the ruins, and re-unite in a single body all the living members.

As regards the modifications to which the Powers have not given an unanimous assent, they constitute so many causes of dispute which at any moment may divide Europe into two camps. Instead of leaving the decision of these to violence and chance,

* Speech to Members of Senate and Legislative Body, at St. Cloud, 1st December, 1852.

† See page 1575.

would it not be better to pursue their equitable solution to a common agreement, and sanction these changes by revising them?

The third category comprises those parts of the Treaty of Vienna which are menaced. "Upon those portions," says his Excellency the Principal Secretary of State, "the most important questions of all arise. What is the nature of the proposals to be made on this subject by the Emperor Napoleon? In what direction would they tend, and, above all, are they, if agreed to by a majority of the Powers, to be enforced by arms?"

The Emperor, while he pointed out to Europe the dangers of a situation in deep commotion, indicated the method of averting the dire calamities which he foresees, and at which he, less than others perhaps, would have reason to take alarm; for the questions out of which at the present time war may arise, interest France but indirectly, and it would depend on herself alone whether she would take part in the struggle or stand aloof from it. This he did by addressing all the Sovereigns in full confidence and simultaneously, without previous understanding with any of them, in order the better to testify his sincere impartiality, and to enter upon, free of every engagement, the important deliberations to which he invites them. Himself the youngest of Sovereigns, he considers he has no right to assume the part of an arbiter, and to fix beforehand for the other Courts the programme of the Congress which he proposes. This is the motive of the reserve which he has imposed upon himself. Is it, moreover, so difficult to enumerate the questions, not yet solved, which may disturb Europe?

A deplorable struggle is bathing Poland* in blood, is agitating the neighbouring States, and threatening the world with the most serious disturbances. Three Powers, with a view of putting a stop to it, invoke in vain the Treaties of Vienna, which supply the two sides with contradictory arguments. Is this struggle to last for ever?

* A series of Papers relating to the Insurrection in Poland was laid before Parliament in 1863 and 1864. In a dispatch from Earl Russell to Her Majesty's Ambassador at St. Petersburgh, dated 11th August, 1863, his Lordship said:—"The proposal of a Conference of the Powers who signed the Treaty of Vienna is rejected, and with it the prospect of an immediate and friendly concert. In the place of this fair and equitable proposal, the Russian Cabinet suggests that the 3 Powers who proposed the Separate Treaties between Austria and Russia, and Prussia and Russia, previously to the General Treaty of Vienna, should meet together, and that France and Great Britain should be afterwards informed of the result of their Deliberations." Reasons were then assigned by his lordship why neither of their suggestions could be adopted. See also note, page 1685.

Pretensions opposed to one another are exciting a quarrel between Denmark and Germany.* The preservation of peace in the North is at the mercy of an accident. The Cabinets have already, by their negotiations, become parties to the dispute. Are they now become indifferent to it?

Shall anarchy continue to prevail on the Lower Danube,† and shall it be able at any moment to open anew a bloody arena for the dispute of the Eastern question?

Shall Austria and Italy‡ remain in presence of each other in a hostile attitude, ever ready to break the truce which prevents their animosities exploding?

Shall the occupation of Rome§ by the French troops be prolonged for an indefinite period?

Lastly, must we renounce, without fresh attempts at conciliation, the hope of lightening the burthen imposed on the nations by the disproportionate Armaments occasioned by mutual distrust?

Such are, Sir, in our opinion, the principal questions which the Powers would doubtless judge it useful to examine and decide.

* On the 16th January, 1864, certain specific Demands were made by Austria and Prussia on Denmark which, not having been complied with within the time specified, an Allied Austrian and Prussian Army entered Holstein (21st January), and Hostilities ensued. Conferences were held in London between the Plenipotentiaries of Austria, Denmark, France, the Germanic Confederation, Great Britain, Prussia, Russia, and Sweden and Norway, from the 20th April to the 25th June, 1864, for the re-establishment of Peace; but they led to no result (see Table, page 1611). The War therefore continued until the 18th July, 1864, when an Armistice was concluded. Preliminaries of Peace were signed on the 1st August, and on the 30th October, 1864, a Treaty of Peace was signed at Vienna.

† See Protocols, March—June, 1866. On the 23rd October, 1866, Prince Charles of Hohenzollern was recognised by the Sultan as Prince of the United Principalities of Moldavia and Wallachia.

‡ War was declared by Italy against Austria on the 20th June, 1866, which lasted till 26th July of that year, when Preliminaries of Peace were signed at Nikolsburg. On the 3rd October following a Treaty of Peace was signed at Vienna.

§ On the 15th September, 1864, a Convention was concluded between France and Italy for the Evacuation of Rome by the French Troops within 2 years. This Convention is known as the "September Convention." The French Troops, however, were not finally withdrawn from Rome until the 19th August, 1870. On the 9th October, 1870, Rome and the Roman Provinces were, by an Italian Decree, declared to form an Integral Part of the Kingdom of Italy. The Seat of the Italian Government was removed from Turin to Florence in May, 1865; and from Florence to Rome on the 1st July, 1871.

Lord Russell surely does not expect us to specify here the mode of solution applicable to each of these problems, nor the kind of sanction which might be given by the decisions of the Congress. To the Powers there represented would pertain the right of pronouncing upon these various points. We will only add, that it would be in our eyes illusory to pursue their solution through the labyrinth of diplomatic correspondence and separate negotiation, and that the way now proposed, so far from ending in war, is the only one which can lead to a durable pacification.

At one of the last meetings of the Congress of Paris, the Earl of Clarendon, invoking a stipulation of the Treaty of Peace which had just been signed, and which recommended recourse to the Mediation of a friendly State before resorting to force, in the event of dissension arising between the Porte and others of the Signatary Powers (**No. 268**), expressed the opinion "that this happy innovation might receive a more general application, and thus become a barrier against conflicts which frequently only break forth because it is not always possible to enter into explanation, and to come to an understanding." The Plenipotentiaries of all the Courts concurred unanimously in the intention of their colleague, and did not hesitate to express, in the name of their Governments, the wish that States between which any serious misunderstanding may arise, should have recourse to friendly Mediation before appealing to arms.

The solicitude of the Emperor goes further; it does not wait for dissensions to break out in order to recommend an application to the actual circumstances of the salutary principle engraven on the latest monument of the Public Law of Europe, and His Majesty now invites his Allies "to enter into explanations, and to come to an understanding."

Accept, &c.;

The Marquis de Cadore. DROUYN DE LHUYS.

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(5) *Earl Russell to Earl Cowley.*

British Reasons for declining Invitation of the Emperor of the French to take part in Proposed Congress.

My Lord, *Foreign Office, 25th November*, 1863.

Her Majesty's Government have received from the Marquis of Cadore the copy of a despatch addressed to him by M. Drouyn de Lhuys, in answer to my despatch to your Excellency of the 12th instant. Her Majesty's Government having obtained an

answer to the inquiries they made, will not any longer delay giving a definitive reply to the Invitation addressed by the Emperor of the French to Her Majesty the Queen, to take part in a Congress of the European Powers to be assembled at Paris.

I inclose a copy of the Emperor's letter of Invitation to the Queen, which is similar to one which has already appeared in the "Moniteur," addressed to the German Confederation.

Her Majesty's Government fully recognize in this step the desire of the Emperor of the French to put an end to the disquietude which affects several parts of Europe, and to establish the general Peace on foundations more solid than those on which, in his opinion, it now rests.

The Emperor declares that France is disinterested in this question; that he, for his part, seeks no aggrandisement, and that the interests to be secured are those, not of France, but of Europe.

Her Majesty's Government may also declare that Great Britain is disinterested in this matter, that she seeks no aggrandisement, and that she has only to counsel moderation and peace.

But France and Great Britain being thus disinterested themselves, are bound to consider what is the position, and what, in a Congress, will be the probable conduct of Powers who may be called upon to make sacrifices of territory or of pre-eminence and moral strength.

It would be little to the purpose to say on this occasion anything more of the Treaties of 1815.

Practically, the Emperor of the French admits the binding force of many portions of those Treaties; and Her Majesty's Government as readily allow that some portions of them have been modified or disregarded, and that other portions are now menaced or called in question

Her Majesty's Government understand from the explanations given by M. Drouyn de Lhuys that, in the opinion of the Government of the Emperor, it is obvious to every one that there are several questions, not hitherto solved, which may disturb Europe. Of this nature are the following:—

Must the conflict in Poland* be still further prolonged?

Is Denmark to be at war with Germany,* and have the Powers which formerly took a part in the discussion of this question become indifferent to it?

* See notes, pp. 1581, 1582.

Must anarchy continue in the Danubian Principalities,* and thus at any moment tend to re-open the question of the East?

Must Italy and Austria* always remain in presence of each other in a hostile attitude?

Must the occupation of Rome* by French troops be prolonged for an indefinite time?

The Emperor's Government put a further question:—

Must we, without having made new attempts at conciliation, renounce the hope of lightening the burthens imposed upon the nations of Europe by excessive Armaments, kept up by the feeling of mutual distrust?

These, no doubt, are the principal questions which either disturb or threaten the Peace of Europe; but there is a further question which Her Majesty's Government consider to lie at the bottom of this whole matter, and that is the following:—

Is a General Congress of European States likely to furnish a peaceful solution of the various matters in dispute?

This, indeed, is the question which it behoves the Governments of the different States to consider seriously and attentively.

There appears to Her Majesty's Government to be one main consideration which must lead them to their conclusion.

After the War which desolated Germany from 1619 to 1649, and after the successive Wars which afflicted the Continent of Europe from 1793 to 1815, it was possible to distribute Territories and to define Rights by a Congress, because the Nations of Europe were tired of the slaughter, and exhausted by the burthens of War, and because the Powers who met in Congress had by the circumstances of the time the means of carrying their decisions and arrangements into effect.

But at the present moment, after a continuance of long Peace, no Power is willing to give up any Territory to which it has a Title by Treaty, or a claim by Possession.

For example, of the questions mentioned as disturbing or threatening Europe, two of the most disquieting are those regarding Poland and Italy.

Let us examine the present state of these questions, and see whether it is probable that a Congress would tend to a peaceful settlement of them.

In the first place, with regard to Poland, the question is not new to France, to Austria, or to Great Britain.*

For several months these Powers, while carefully abstaining

* See notes, pp. 1581, 1582.

from any threat, have attempted to obtain from Russia by friendly representations the adoption of measures of a healing nature, but have only succeeded in procuring promises, often repeated, that when the Insurrection shall have been put down, recourse will be had to clemency and conciliation. Would there be any advantage in repeating in the name of a Congress representations already made with so little effect?

Is it probable that a Congress would be able to secure better terms for Poland unless by a combined employment of force?

Considerable progress has been made by the military preponderance and by the unsparing severity of Russia in subduing the insurgents.

Is it likely that Russia will grant in the pride of her strength what she refused in the early days of her discouragement?

Would she create an independent Poland at the mere request of a Congress?

But if she would not, the prospect becomes one of humiliation for Europe, or of War against Russia; and those Powers who are not ready to incur the cost and hazard of war may well desire to avoid the other alternative.

It may be truly said, moreover, that the present period is one of transition. If the Insurrection shall be subdued, it will then be seen whether the promises of the Emperor of Russia are to be fulfilled. If the Insurrection shall not be subdued, or if, in order to subdue it, the Polish population is treated with fresh and, if that be possible, with aggravated rigour, other questions will arise which may require further consideration, but which would hardly receive a solution from a large assembly of Representatives of all the Powers of Europe.

Indeed, it is to be apprehended that questions arising from day to day, coloured by the varying events of the hour, would give occasion rather for useless debate than for practical and useful deliberation in a Congress of 20 or 30 Representatives, not acknowledging any supreme authority, and not guided by any fixed Rules of proceeding.

Passing to the question of Italy, fresh difficulties occur. In the first place, is it intended to sanction by a new Treaty the present state of possession in Italy? The Pope and the Sovereigns related to the dispossessed Princes might, on the one side, object to give a Title they have hitherto refused, to the King of Italy (**No. 311**); and the King of Italy, on the other, would probably object to a settlement which would appear to exclude him, by inference at least, from the acquisition of Rome and Venetia.

But is it intended to ask Austria, in Congress, to renounce the possession of Venetia;* Her Majesty's Government have good grounds to believe that no Austrian Representative would attend a Congress where such a proposition was to be discussed. They are informed that if such an intention were announced beforehand, Austria would decline to attend the Congress, and that if the question were introduced without notice, the Austrian Minister would quit the Assembly. Here again, therefore, the deliberations of the Congress would soon be brought in sight of the alternative of nullity or War.

But is it possible to assemble a Congress and to summon an Italian representative to sit in it without discussing the state of Venetia? The Emperor of the French would be the first person to feel and to admit that such a course would not be possible.

With regard to Germany and Denmark, it is true that several of the Powers of Europe have interested themselves in that question, but the addition of Spain, Portugal, Italy, and Turkey to the deliberation would scarcely improve the prospect of a satisfactory solution. And if, with regard to Poland and Italy, no beneficial result is likely to be attained, is it expedient to call together a General Congress of all the States of Europe to find a remedy for the anarchy of Moldo-Wallachia?

Were all these questions, those of Poland, Italy, Denmark, and the Danubian Provinces,† to be decided by the mere utterance of opinions, the views of Her Majesty's Government upon most of them might, perhaps, be found not materially to differ from those of the Emperor of the French.

But if the mere expression of opinions and wishes would accomplish no positive results, it appears certain that the deliberations of a Congress would consist of demands and pretensions put forward by some and resisted by others; and, there being no supreme authority in such an Assembly to enforce the decisions of the majority, the Congress would probably separate, leaving many of its members on worse terms with each other than they had been when they met. But if this would be the probable result, it follows that no decrease of armaments is likely to be effected by the proposed Congress. M. Drouyn de Lhuys

* The Lombardo-Venetian Kingdom was ceded by Austria to Italy by the Treaty of Peace between Austria and Prussia, signed at Prague, 23rd August, 1866.

† See notes, pp. 1581, 1582.

refers to a proposal made by Lord Clarendon in one of the last sittings of the Congress of Paris. But Her Majesty's Government understand that proposal to have reference to a dispute between two Powers to be referred to the Good Offices of a friendly Power, but in no way to the assembling of a General Congress.

Not being able, therefore, to discern the likelihood of those beneficial consequences which the Emperor of the French promised himself when proposing a Congress, Her Majesty's Government, following their own convictions, after mature deliberation, feel themselves unable to accept His Imperial Majesty's invitation.

You are instructed to give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.,

Earl Cowley. RUSSELL.

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(6) *Regret of French Government at decision of Great Britain not to attend proposed Congress.*

Earl Cowley to Earl Russell.—(*Received 30th November.*)

(Extract.) *Paris, 28th November*, 1863.

I WAITED by appointment on M. Drouyn de Lhuys, this afternoon, and communicated to his Excellency your Lordship's despatch of the 25th instant, stating the reasons why Her Majesty's Government cannot accept the invitation addressed by the Emperor of the French to Her Majesty the Queen, to take part in a Congress of European Powers to be assembled at Paris.

M. Drouyn de Lhuys, after perusing your Lordship's despatch, said that he could not but express his dissent from the reasoning which had led Her Majesty's Government to the decision which your Lordship's despatch announced. He still retained the opinion that the assembling of a Congress would have been the best means of settling the questions which now agitate Europe. It would be useless, however, to prolong the discussion. The mind of Her Majesty's Government appear to be made up. He would communicate your Lordship's despatch to the Emperor.

COWLEY.

Earl Russell.